

**PHILLIP BARBER ATTORNEY AFFIRMATION:**  
**ATTORNEY OF RECORD FOR D.B.U.**

I, Phillip Barber, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct to the best of my knowledge and belief:

1. I am a volunteer pro bono attorney with the Rocky Mountain Immigrant Advocacy Network (“RMIAN”), a nonprofit legal services provider that represents detained noncitizens before the Aurora Immigration Court in Colorado. RMIAN conducted an in-depth interview with D.B.U. and referred his immigration case to me. I represent D.B.U. in his immigration proceedings.
2. D.B.U. is currently detained at the Immigration and Customs Enforcement (“ICE”) Denver Contract Detention Facility in Aurora (“Aurora facility”), which is owned and operated by GEO Group, Inc.
3. D.B.U. is citizen of Venezuela who was born in 1993. He entered the United States through Texas in 2022. D.B.U. has a fear of return to Venezuela. He confided in me that he has been physically attacked based on his protests against the Venezuelan government.
4. ICE arrested D.B.U. on or about January 26, 2025. D.B.U. was apprehended at a party he had been invited to by a few friends who were not Venezuelan. ICE and the Drug Enforcement Agency (DEA) raided the party, and subsequently both agencies have repeatedly characterized it as a “Tren de Aragua party” in public communications. They have accused without basis everyone apprehended at the party, including D.B.U., as being associated with Tren de Aragua. Public reporting indicates that no one from the party was criminally charged, including D.B.U. After his arrest by ICE, he was interrogated by ICE agents and subsequently DEA agents about whether he was a member of Tren de Aragua. DEA agents also searched his phone. D.B.U. denied to the agents any involvement with Tren de Aragua. He was not charged with any crime after these interrogations.
5. Following his arrest by ICE, D.B.U. has been detained at the Aurora facility in Colorado. D.B.U. is currently in pending immigration removal proceedings and will seek asylum, withholding of removal, and protection under the Convention Against Torture based on his fear of persecution and torture if returned to Venezuela. He is scheduled for a hearing on April 17, 2025, in the Aurora Immigration Court.
6. D.B.U. has a single tattoo of his niece’s name. D.B.U. is not a member of and vehemently denies any connection to Tren de Aragua.
7. D.B.U. has a committed partner of many years and is the father to an infant and an eight-year-old. His baby is a U.S. Citizen. His security classification at the detention center, based on the color of his shirt and pants, is low. I have searched and have not found any criminal records in the United States for D.B.U. I am unaware of any criminal history in Venezuela.

8. I am aware from news reports that on March 15, 2025, ICE transferred a group of people who were previously detained at the Aurora facility and flew them to the Terrorism Confinement Center (“CECOT”) in El Salvador. Based on knowledge and belief, there were people in that group who were similarly situated to D.B.U. It appears to me that D.B.U. is at grave risk of ICE alleging that he is a member of the Tren de Aragua. I further fear that ICE will invoke the Alien Enemies Act against D.B.U.

I, Phillip Barber, swear under penalty of perjury that the forgoing declaration is true and correct to the best of my knowledge and recollection.

/s/ Philip Barber\_\_\_\_\_

Phillip Barber, Esq.

Executed this 12th day of April, 2025