

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 07-10471-RGS

NOLBERTA AQUILAR, et al.

v.

UNITED STATES IMMIGRATION AND CUSTOMS
ENFORCEMENT DIVISION OF THE DEPARTMENT OF HOMELAND
SECURITY; JULIE L. MYERS, Assistant Secretary of Homeland
Security for Immigration and Customs Enforcement; BRUCE CHADBOURNE,
Field Office Director for Detention and Removal, Boston Field Office,
Immigration and Customs Enforcement; MICHAEL CHERTOFF,
Secretary, Department of Homeland Security; and
ALBERTO GONZALES, Attorney General of the
United States

ORDER ON EMERGENCY MOTION
FOR A TEMPORARY RESTRAINING ORDER
AND REQUEST FOR DISCOVERY

April 6, 2007

STEARNS, D.J.

After a hearing held this day, the Court ORDERS as follows.

(1) Respondents will provide petitioners' counsel with a list identifying those persons by name and location who are detained outside of the District of Massachusetts and who have been scheduled for voluntary removal.

(2) Respondents will permit petitioners' counsel access to any detainee who has presently agreed to voluntary removal who wishes to consult with an attorney regarding his or her legal status prior to removal.

(3) Petitioners' counsel will make themselves immediately available for such consultations as are desired at the facilities where such persons are presently detained.

(4) This order will expire within ten (10) days of today's date.

(5) This order does not apply to any detainee who is under an order of removal issued prior to March 6, 2007, as the review of such orders lies exclusively within the jurisdiction of the Court of Appeals.

(6) Respondents will reply to petitioners' request for additional discovery by the close of business, Thursday, April 12, 2007.

SO ORDERED.

/s/ Richard G. Stearns

UNITED STATES DISTRICT JUDGE