

EXHIBIT 5

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

DECLARATION OF HIMEDES CHICAS

I, Himesdes V. Chicas, declare as follows:

1. I am over eighteen (18) years of age and am competent to testify as a witness. Unless otherwise specified, this declaration is based upon personal knowledge and information through the course of my professional duties.

2. I am an immigration attorney and my principal place of business is at 2730 University Boulevard West, Suite 604, Wheaton, Maryland 20902. My office phone number is (240) 292-7200.

3. I have worked as an immigration attorney for nearly 10 years and have represented over 700 clients in immigration matters in Maryland.

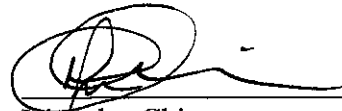
4. Counsel in the above-captioned matter has informed me that the proposed class for this matter consists of: Any U.S. citizen and his or her noncitizen spouse who (a) has a final order of removal and has not departed the U.S. under that order; (b) is the beneficiary of a pending or approved I-130, Petition for Alien Relative, filed by the U.S. citizen spouse; (c) is not “ineligible” for a provisional waiver under 8 C.F.R. § 212.7(e)(4)(i) or (vi); and (d) is within the jurisdiction of Baltimore ICE-ERO field office (*i.e.*, the state of Maryland).

5. Since discovering that ICE is arresting immigrants with final orders of removal at their I-130 interviews, I have had to warn clients of this possibility and my clients have expressed fear when deciding whether to continue with the process.

6. I am aware of at least five to ten potential clients over the last year or two who decided not to pursue a provisional waiver or attended an I-130 interview out of fear that pursuing a provisional waiver or attending an I-130 interview would lead to his or her detention or removal.

I declare under penalty of perjury that foregoing is true and correct.

Executed on July 26, 2019



Hiram Chicas