

*Enforcement and Removal Operations
New Orleans Field Office*

U.S. Department of Homeland Security
New Orleans Field Office
1250 Poydras, Suite 350
New Orleans, LA 70113



**U.S. Immigration
and Customs
Enforcement**

June 20, 2012

Senator Mary Landrieu
c/o Shannon Langlois
Federal Building, Rm 326
707 Florida Street
Baton Rouge, LA 70801

RE: Henry Roche Segura A089 446 127

Dear Senator Landrieu:

Thank you for your request for information about the case of Mr. Roche. I have reviewed the circumstances of Mr. Roche's case on three occasions, including the most recent request for a Stay of Removal dated June 19, 2012. ICE did exercise discretion in this case, under the memorandum by ICE Director John Morton dated June 17, 2011, in not detaining Mr. Roche in ICE custody while he made his departure arrangements.

When determining whether an exercise of prosecutorial discretion may be warranted, ICE considers a number of relevant factors. However, no one factor is determinative. Prosecutorial discretion is considered on a case-by-case basis and upon review of the totality of the circumstances, both positive and negative. After careful consideration of the factors addressed in the requests, I determined that granting of such discretionary relief is not warranted in this case.

Given the agency's stated priority of removing criminal aliens with a final order of removal, this case falls within ICE's priorities as defined in the June 30, 2010, Civil Enforcement Priorities memorandum, and the June 17, 2011, Prosecutorial Discretion memorandum. Considering the totality of Mr. Roche's immigration history and his status as a criminal alien the requests for deferred action and Stay of Removal were denied.

If you have any other questions or concerns, please contact me at (504) 599-7800.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Miller".

Philip T. Miller
Field Office Director