

Exhibit F

Declaration of Defendant Smith

Stevens v. Holder, et al, 12-1352 (N.D. Ga.)
FEDERAL DEFENDANTS' RENEWED MOTION FOR SUMMARY JUDGMENT

afcf788-09f0-4db5-8229-8ae8825a8314

**THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

JACQUELINE STEVENS,)	
)	
Plaintiff,)	Civil Action No.
)	
v.)	1:12-CV-1352-ODE
)	
ERIC HOLDER, ATTORNEY)	
GENERAL OF THE UNITED)	
STATES, et al.,)	
)	
Defendants.)	
)	

DECLARATION OF GARY W. SMITH

I, Gary W. Smith, hereby declare and state the following:

1. During the time giving rise to the events alleged in the above-captioned cause of action, I was the Assistant Chief Immigration Judge at the Executive Office for Immigration Review (“EOIR”). I retired from the federal government on May 31, 2012.
2. I am aware of the lawsuit filed by Plaintiff Jacqueline Stevens.
3. As the Assistant Chief Immigration Judge at EOIR, I oversaw the operations of the Atlanta Immigration Court and was responsible for investigating complaints concerning misconduct by immigration judges in Georgia.
4. EOIR’s internal complaint process related to the alleged misconduct of our immigration judges is crucial to the proper functioning of the immigration court

given the importance of ensuring that any misconduct by immigration judges is identified and addressed to prevent it from continuing.

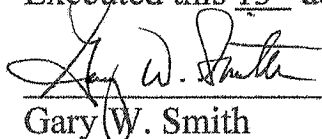
5. As part of my job duties and responsibilities, I received and reviewed a complaint from Jacqueline Stevens alleging she had been excluded from Atlanta Immigration Court in April 2010.

6. As part of my job duties and responsibilities, I was assigned to investigate the April 2010 complaint concerning Immigration Judge Cassidy.

7. As part of my job responsibilities and duties, on June 3, 2010, I prepared and sent a letter in response to Ms. Stevens's complaint explaining that EOIR's investigation revealed that Immigration Judge Cassidy did not order a security officer to have Ms. Stevens removed from the building. Additionally, my response indicated that our investigation revealed that Immigration Judge Cassidy properly closed the April 2010 hearing to the public after talking to the immigrant and determining closure was necessary to protect the immigrant's confidentiality concerns.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 13th day of July, 2013.



Gary W. Smith
Former Assistant Chief Immigration Judge
Executive Office for Immigration Review