

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

JACQUELINE STEVENS,)	
)	
Plaintiff,)	CIVIL ACTION FILE NO.
)	1:12-CV-1352-ODE
vs.)	
)	
ERIC HOLDER, JR., Attorney)	
General of the United States, et al.,)	
)	
Defendants.)	
_____)	

**AFFIDAVIT OF JACQUELINE STEVENS
PURSUANT TO FED. R. CIV. P. 56**

COMES NOW, before the undersigned attesting officer, authorized by law to administer oaths, JACQUELINE STEVENS, who first being duly sworn, deposes on oath, under penalty of perjury, and states as follows:

1.

I am the Plaintiff in the above titled action. I am providing this affidavit in support of Plaintiff's Response to the Federal Defendants' Motion to Dismiss, or in the alternative Motion for Summary Judgment.

2.

Attached hereto as Exhibit "A" is a copy of an email from Defendant Mooney, a true and accurate copy is attached hereto. I received this in response to FOIA Case No. 2011FOIA546.

3.

I received a June 3, 2010 letter from Gary Smith, a true and accurate copy of which is attached hereto as Exhibit "B"). In the letter, Judge Smith informed me that there was no indication that Judge Cassidy ordered my removal from the building.

4.

In response to a FOIA request, I received a copy of an interview with one of the guards who escorted me to leave the Atlanta Immigration Court, a true and accurate copy of which is attached hereto as Exhibit "C"), which reflects that Defendant Cassidy had either asked or ordered the guards to remove me from the courtroom and the building. ("MEGACENTER OPERATOR: 'Who asked you to escort her off? The judge?' PCO: 'The judge, yes ma'am.' MEGACENTER OPERATOR: 'Good.'")

5.

An email dated October 7, 2009 from Susan Eastwood (EOIR) to Fran Mooney, Gary Smith (cc: Cynthia Long), attached hereto as Exhibit "D"), shows

that there was no “legal basis” for requiring me to “check in,” prior to observing hearings, but “checking in” was merely a “customer service effort.” The lack of a notification “requirement” is further confirmed in an EOIR “Fact Sheet” dated September 9, 2010, copy also attached (“You do not have to notify an immigration court in advance to observe an open hearing.”). These facts are contrary to statements in Defendant Long’s declaration, Doc. 73-5, paragraph 5 indicating that she is “tasked with” controlling access to open immigration hearings (“When coordinating visits, I am tasked with balancing the security and confidentiality of sensitive immigration concerns with conducting open immigration proceedings.”).

6.

A series of emails, beginning with those dated April 13, 2010, subject-”Journalist” (sent prior to my removal on April 19, 2010), continuing with those dated April 19, 2010, subject-”Jackie Stevens is at the Atlanta Immigration Court” (sent the date of my removal) and extending to “follow-up” emails from April 23, 2010, to April 29, 2010, subject-”Possible banning of blogger from immigration court” (sent after my removal), attached hereto as Exhibit “E”, which emails were sent or circulated among EOIR officials including Defendant Smith, Defendant Mooney and Defendant Keller, when read together with recorded statements by security guards to the Megacenter Operator on April 19, 2010 (“they’re trying to ban her from the building”), show that contrary to defendants’ declarations, the

discretion allegedly being exercised concerning access to immigration hearings extended beyond closing hearings because of “confidentiality concerns” of specific respondents (e.g. Defendant Mooney’s declaration, Doc. 73-2, paragraph 7). Rather, these meetings and communications show a concerted effort and conspiracy among Federal Defendants and EOIR officials to “ban” me from all immigration hearings at the Atlanta Immigration Court and the Stewart Detention Center, regardless of the underlying character of the proceedings.

7.

The email referenced in paragraph 2 reveals that the Federal Defendants discriminated against me in following up on my complaint, distributing my blog posts, preventing me from attending hearings, and “possibly banning” me based on point of view. In addition, it reveals that Defendant Long does not indicate that there are any factual errors in my factual account. This is evidence that the Federal Defendants either were coordinating or had direct knowledge of the violations of my First Amendment rights. Instead of investigating my complaints, they complained about me trying to attend immigration hearings.

Further, the affiant sayeth not.



JACQUELINE STEVENS

Sworn and subscribed
before me this 23rd day
of August 2013.

Rohini N. Bedasie
Notary Public

My commission expires on: July 19, 2014

