

Judge rules Trump must return man to U.S. who was wrongly deported to El Salvador



Washington, April 5 (RHC)-- A U.S. federal judge has ordered the administration of President Donald Trump to return a man to the United States after he was wrongly deported to El Salvador.

Before issuing the ruling on Friday, Judge Paula Xinis called Kilmar Abrego Garcia's deportation "an illegal act" and condemned Trump administration lawyers for lacking answers to fundamental questions surrounding the incident.

Abrego Garcia, 29, had been put on a deportation flight to El Salvador in March, despite an immigration judge's 2019 ruling that shielded him from expulsion in light of likely persecution by local gangs in his home country.

"His continued presence in El Salvador, for obvious reasons, constitutes irreparable harm," the judge said in her order to the Department of Homeland Security and other agencies.

Despite immigration officials and even the White House acknowledging that Abrego Garcia had been deported in "error", Trump officials have been defiant in their response.

White House spokesperson Karline Leavitt earlier this week insisted the Maryland resident was a member of the MS-13 gang, citing unreleased evidence. "The administration maintains the position that this individual, who was deported to El Salvador and will not be returning to our country, was a member of the brutal and vicious MS-13 gang," Leavitt said.

Abrego Garcia's lawyers have said there is no evidence their client was in MS-13, saying the allegation is based on a confidential informant's claim in 2019. The informant claimed Abrego Garcia was a member of the gang's chapter in New York, where he has never lived.

During the hearing on Friday, Justice Department lawyer Erez Reuveni could not tell the judge under what authority Abrego Garcia, who was legally authorised to work in the US, had been taken into custody before his expulsion. "I'm also frustrated that I have no answers for you for a lot of these questions," he said.

Meanwhile, Abrego Garcia's lawyer, Simon Sandoval-Moshenberg, took aim at the Trump administration's inaction. "Plenty of tweets. Plenty of White House press conferences. But no actual steps taken with the government of El Salvador to make it right," he said.

"An apology would be nice, but I'm not expecting that," he added.

At a rally at a community centre in nearby Hyattsville, Maryland, Abrego Garcia's wife said she had not spoken to her husband since he was flown to El Salvador. Jennifer Vasquez Sura, who is a U.S. citizen, urged supporters to keep fighting for her husband "and all the Kilmars out there whose stories are still waiting to be heard."

"To all the wives, mothers, children who also face this cruel separation, I stand with you in this bond of pain," she said

The debacle comes as the Trump administration has sought to make good on a campaign pledge to surge deportations, with Trump framing undocumented migration in the US as an "invasion".

Authorities have increased arrests, but expulsions have been more difficult, with most cases slowly making their way through backlogged immigration courts. In March, the administration sought to fast-track the process by invoking the 1789 Alien Enemies Act, which allows for the expulsion of foreign nationals during wartime.

Rights groups say the law denies individuals due process, with a court filing indicating some of the 237 men deported under the law, alongside Abrego Garcia, were targeted solely for having tattoos or clothing believed to be associated with Latin American gangs.

A judge has temporarily barred Trump from using the law for deportations. He has been determining whether the administration violated his March 15 order by refusing to turn around two deportation flights, one of which carried Abrego Garcia, already in the air at the time.

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