

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

TIM WALZ, *et al.*,

Plaintiffs,

v.

GREG ABBOTT, *et al.*

Defendants.

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CIVIL ACTION NO. 1:26-CV-00906

STATEMENT OF INTEREST

Pursuant to 28 U.S.C. § 517, authorizing the Department of Justice “to attend to the interests of the United States” in pending suits, the United States respectfully submits this Statement of Interest concerning the complaint filed by the State of Minnesota, on behalf of Governor Tim Walz and Minnesota Attorney General Keith Ellison, against Texas Governor Greg Abbott and Cameron County Sheriff Manuel Trevino. (Dkt. 2.) The United States files this Statement of Interest to supplement the factual record before the Court and to assist in resolving this matter.

The United States has an interest in this matter because U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) Deportation Officer Christian Castro was employed by the federal government at the time of the events giving rise to the plaintiff’s cause of action. Specifically, he worked as a Deportation Officer for ICE ERO, which is an agency within the Department of Homeland Security.

As noted in the attached declaration of Field Office Director (FOD) Patrick Divver, on January 15, 2026, ICE ERO leadership learned of a use of force incident involving DO Castro. *See Government Exhibit A* (Declaration of Field Office Director Patrick Divver ¶ 6). DO Castro, whose permanent duty station was Harlingen, Texas, had been temporarily detailed to the Minneapolis-St. Paul area. *Id.* ¶ 4, 6. FOD Divver, who was himself detailed to the Minneapolis-St. Paul area, was acting as the ERO Director of Operations for Operation Metro Surge.

In this role, and through DO Castro's chain of command, on or about January 15, 2026 FOD Divver instructed DO Castro to return to his permanent duty station in Harlingen. *Id.* ¶ 7. As explained in his declaration, FOD Divver consulted with ERO senior leadership on the matter. *Id.* The decision was made by ERO leadership, not DO Castro, and "was based upon concerns for DO Castro's personal safety and the safety of other ICE officers in Minnesota." *Id.* FOD Divver similarly instructed DO Castro's partner to return to his duty station. *Id.* FOD Divver's declaration also notes that his general practice during Operation Metro Surge was to send officers detailed to the area back to their home office "if they were involved in an incident that had the potential to impact officer or public safety." *Id.* ¶ 8. As instructed, Officer Castro returned to his duty station in Texas on or around January 16, 2026. *Id.* ¶ 9.

Minnesota state criminal charges were filed against DO Castro, and a Minnesota state warrant issued for his arrest, on May 18, 2026 (Dkt. 2, Ex. A at 17-25). These actions occurred some four months after his return to Texas. Return to his duty station in Texas was required by the federal agency which employed DO Castro, and at the time of the direction to return, no criminal charges were pending against him. *Ex. A* ¶ 10.

CONCLUSION

As the United States has a significant interest in criminal matters involving its employees, the United States provides this statement of interest to the Court and is available to provide additional information or documentation should the Court require it.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Statement of Interest was filed and served on counsel of record through the Court's CM/ECF system.

/s/ Jill O. Venezia
JILL O. VENEZIA
Assistant United States Attorney