

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

CRISTINA NICHOLE IGLESIAS  
(a.k.a. CRISTIAN NOEL IGLESIAS),

Plaintiff,

v.

IAN CONNORS, *et al.*,

Defendants.

Case No. 19-cv-00415-NJR

**JOINT STATUS REPORT**

The parties respectfully submit this Joint Status Report pursuant to paragraph 9 of the Court's May 31, 2022, Stipulated Order providing that the parties shall update the Court on significant developments related to the surgeries described in the Stipulated Order. Doc. 269.

As reported previously, Ms. Iglesias was scheduled for the first of two facial feminization surgeries on August 23, 2022. Ms. Iglesias attended a preoperative appointment with the surgeon on August 10, 2022, and the surgeon cleared Ms. Iglesias to proceed with the surgery.

On August 19, 2022, however, Ms. Iglesias left without authorization the Residential Reentry Center (RRC) where she was being housed and did not return. *See* Fearday Decl. ¶ 5. On August 21, Ms. Iglesias was arrested by local authorities for grand theft auto in the third degree. *Id.* Ms. Iglesias has since remained in the custody of local authorities. *Id.* Accordingly, BOP has postponed the August 23 surgery for the time being given that Ms. Iglesias is not currently in federal custody. *Id.*

Ms. Iglesias is currently being held at the Turner Guilford Knight Correctional Center in Miami, Florida (under her birth name of Kenneth West). *Id.* ¶ 6. The United States Marshals Service has been notified, and the Marshals Service has lodged a detainer so that Ms. Iglesias will be transferred back to federal custody when she is released by local authorities. *Id.* It is unclear at this time, however,

when Ms. Iglesias will be released by local authorities. *Id.* The public docket indicates that an arraignment hearing has been set for September 12, 2022. *Id.*

Because Ms. Iglesias remains in the custody of local authorities and it is unclear when she will be released, there is currently uncertainty as to when the previously scheduled surgeries will be able to proceed. BOP nonetheless remains committed to satisfying its obligations under the parties' settlement agreement and the Court's stipulated order. BOP notes that, because Ms. Iglesias has not been in federal custody since August 20, 2022, her release date from federal custody (which was previously scheduled for December 25, 2022) will likely be extended. *Id.* ¶ 7.

Before Ms. Iglesias was arrested by local authorities, BOP had scheduled her second facial feminization surgery for October 7, 2022. *Id.* ¶ 8. After Ms. Iglesias left BOP custody, BOP advised its contractor that it should keep that date on the calendar so that, if Ms. Iglesias has been returned to BOP custody by that date, the first facial feminization surgery could proceed. *Id.*

Additionally, as reported previously, BOP, through its contractor, has been following up with a second surgeon to perform the vaginoplasty surgery. *Id.* ¶ 9. BOP's contractor has continued to follow up with that surgeon's office and is waiting to hear whether they will accept Ms. Iglesias as a patient. *Id.*

BOP also reports that Ms. Iglesias had a fourth dermatology appointment for laser hair removal, on August 11, 2022. *Id.* ¶ 10. BOP had scheduled the next appointment for September 12, 2022, but canceled that appointment because Ms. Iglesias is not currently in BOP custody and it is unclear when she will return to BOP custody. *Id.* Once Ms. Iglesias is returned to BOP custody, BOP intends to reschedule a dermatology appointment. *Id.*

Finally, BOP previously reported that BOP's contractor scheduled Ms. Iglesias for a consultation related to her gallbladder for August 16, 2022. *Id.* ¶ 11. Ms. Iglesias did not attend that

appointment as there was an issue at the RRC and Ms. Iglesias was not provided with a pass for the appointment. *Id.*

Counsel for the parties have been in active discussions about the developments described above and intend to continue to work together cooperatively to address them. As noted, while there is currently uncertainty as to when the previously scheduled surgeries will be able to proceed, the parties remain committed to implementing the settlement agreement and the Court's stipulated order.

Dated: September 2, 2022

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Respectfully submitted,

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IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CRISTINA NICHOLE IGLESIAS (a.k.a.,	)	
CRISTIAN NOEL IGLESIAS),	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 19-cv-00415-NJR
	)	
IAN CONNORS, ET AL.,	)	
	)	
Defendants.	)	

**DECLARATION OF GREGG FEARDAY**

I, Gregg Fearday, make the following declaration, in accordance with the provisions of 28 U.S.C. § 1746:

1. I am currently employed by the Federal Bureau of Prisons (“BOP”) as Health Systems Specialist for the BOP’s Residential Reentry Branch of the Reentry Services Division. I have held my current position since December 2014. I have been employed by the BOP since April 1994.

2. I am aware the Court ordered the Parties to “file a joint status report updating the Court on significant developments related to the surgeries described [in the Court’s May 31, 2022 Stipulated Order] on Friday, June 10, 2022, and every four weeks thereafter, until the Parties believe that such joint status reports are no longer necessary, but in no case extending past Plaintiff’s release from BOP custody.” (Doc. 269).

3. I write now to update the Court about those developments that have occurred since my last declaration, dated August 5, 2022.

4. As reported previously, Ms. Iglesias was scheduled for the first (of two) facial feminization surgeries with Surgeon 1 on August 23, 2022. Ms. Iglesias attended a pre-operative appointment with Surgeon 1, on August 10, 2022. Surgeon 1 then cleared Ms. Iglesias to proceed

with the August 23 surgery.

5. On August 19, however, Ms. Iglesias left without authorization (escaped) the Residential Reentry Center (RRC) where she was being housed and did not return. On August 21, Ms. Iglesias was arrested by local authorities for grand theft auto in the third degree. Ms. Iglesias has since remained in the custody of local authorities. Accordingly, BOP has had no choice but to cancel the August 23 surgery with Surgeon 1's office for the time being given that Ms. Iglesias is not currently in federal custody.

6. Ms. Iglesias is currently being held at the Turner Guilford Knight Correctional Center in Miami, Florida (under her birth name of Kenneth West).<sup>1</sup> The United States Marshals Service (USMS) has been notified, and the USMS has lodged a detainer so that Ms. Iglesias will be transferred back to federal custody when she is released by local authorities. It is unclear at this time, however, when Ms. Iglesias will be released by local authorities. The public docket indicates that an arraignment hearing has been set for September 12, 2022.<sup>2</sup>

7. Because Ms. Iglesias remains in the custody of local authorities and it is unclear when she will be released, there is currently uncertainty as to when the previously scheduled surgeries will be able to proceed. BOP nonetheless remains committed to satisfying its obligations under the parties' settlement agreement and the Court's stipulated order. BOP notes that, because Ms. Iglesias has not been in federal custody since August 20, 2022, her release date from federal custody (which was previously scheduled for December 25, 2022) will likely be extended.

8. As to Ms. Iglesias's other upcoming appointments, her second facial feminization surgery, which was to include breast augmentation, had been scheduled with Surgeon 1 for October 7, 2022. After Ms. Iglesias left BOP custody, BOP advised its contractor it would like to keep that

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<sup>1</sup> This information can be found at <https://www.miamidade.gov/Apps/mdcr/InmateSearch/>.

<sup>2</sup> Case information can be found at <https://www2.miami-dadeclerk.com/cjis/CaseSearch.aspx>. The case number is 13-2022-CF-015268-0001-XX.

date on the calendar so that, if Ms. Iglesias has been returned to BOP custody by that date, the first facial feminization surgery could proceed on that date. Surgeon 1's office responded indicating that they would like to know how likely is it that the October surgery would happen, given that Surgeon 1 lost a whole day of surgery due to the unplanned cancelation on August 23, has a very long list of patients waiting for surgery, and that it might not be the best practice to be uncertain about surgeries that require Surgeon 1 to be in the operating room all day. BOP will ask its contractor to respond to Surgeon 1's office.

9. Additionally, as reported previously, BOP, through its contractor, has been following up with Surgeon 2's office to see if Surgeon 2 will move forward with Ms. Iglesias as a patient and schedule an in-person consult. On August 24, 2022, Surgeon 2's office asked BOP to confirm Ms. Iglesias has not been convicted of a violent crime, as they were trying to determine whether Ms. Iglesias would need to be escorted by law enforcement for appointments per Surgeon 2's office's policy. BOP will ask its contractor to respond to Surgeon 2's office. BOP's contractor is waiting to hear from Surgeon 2's office whether they will accept Ms. Iglesias as a patient and schedule the in-person consult.

10. Ms. Iglesias had a fourth dermatology appointment for laser hair removal, on August 11, 2022. The next appointment was scheduled for September 12, 2022, but BOP canceled that appointment because Ms. Iglesias is not currently in BOP custody and it is unclear when she will return to BOP custody. Once Ms. Iglesias is returned to BOP custody, BOP intends to reschedule a dermatology appointment.

11. I previously reported that BOP's contractor scheduled Ms. Iglesias for a consultation related to her gallbladder for August 16, 2022. Ms. Iglesias did not attend that appointment as there was an issue at the RRC and Ms. Iglesias was not provided with a pass for the appointment. The RRC has a new electronic system for issuing passes, and one of the required steps for issuing the pass was inadvertently missed for the appointment.

12. BOP remains committed to providing Ms. Iglesias appropriate care and continues working diligently with our contractor. However, BOP notes that Ms. Iglesias is not currently in BOP custody, and BOP cannot control the medical care provided while she is in the custody of local authorities.

I declare under penalty of perjury that the foregoing is true and correct to the best of my belief. Executed on this 2nd day of September 2022.

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Gregg Fearday