

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

H.I.D.R. and O.A.S.,

Petitioners-Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States, *et al.*,

Respondents-Defendants.

Civil Action No. 1:25-cv-60

**PETITIONERS-PLAINTIFFS'
UNOPPOSED MOTION TO
HOLD CASE IN ABEYANCE**

PETITIONERS-PLAINTIFFS' UNOPPOSED MOTION
TO HOLD CASE IN ABEYANCE

Petitioners-Plaintiffs ("Petitioners"), through undersigned counsel, respectfully move the Court to hold this case in abeyance pending adjudication of the amended motion to certify class and appointment of class counsel in *W.M.M., et al. v. Trump, et al.*, No. 1:25-CV-059-H (N.D. Tex. Apr. 18, 2025), ECF No. 39.

On April 21, 2025, this Court issued a scheduling order in *W.M.M.* regarding the petitioners' amended motion for certification of a class and appointment of class counsel. *See W.M.M., et al. v. Trump, et al.*, No. 1:25-CV-059-H (N.D. Tex. Apr. 21, 2025), ECF No. 45. The Court also indicated that it would vacate its scheduling order if the Supreme Court granted the petitioners' request to treat their application as a petition for a writ of certiorari and granted certiorari. *Id.* The relevant application remains pending at the Supreme Court. *See* Reply in Support of Emergency Application for an Emergency Injunction or Writ of Mandamus, Stay of Removal,

and Request for an Immediate Administrative Injunction (hereinafter “Reply Brief”), *A.A.R.P., et al. v. Trump, et al.*, No. 24A1007 (Sup. Ct. Apr. 21, 2025).

The questions under consideration in *W.M.M.* may impact this petition for writ of habeas corpus and complaint for declaratory and injunctive relief because Petitioners, H.I.D.R. and O.A.S., would fit the definition of the proposed class in *W.M.M.* if the class is certified. The proposed class in *W.M.M.* includes: “All noncitizens in custody in the Northern District of Texas who were, are, or will be subject to the March 2025 Presidential Proclamation entitled ‘Invocation of the Alien Enemies Act Regarding the Invasion of the United States by Tren De Aragua’ and/or its implementation.” See *W.M.M.*, No. 1:25-CV-059-H (N.D. Tex. Apr. 18, 2025), ECF No. 39. Petitioners are in custody at the Bluebonnet Detention Center located in the Northern District of Texas and have been accused by ICE officers of alleged affiliation with Tren de Aragua (“TdA”). See Dkt. No. 1.

Additionally, petitioners in both *W.M.M.* and the present case raise substantially similar legal questions about the Presidential Proclamation entitled ‘Invocation of the Alien Enemies Act Regarding the Invasion of the United States by Tren De Aragua’ and its implementation. Compare *W.M.M.*, No. 1:25-CV-059-H (N.D. Tex. Apr. 18, 2025), ECF Nos. 38, 40, with Dkt. No. 1. “[T]he putative class [in *W.M.M.*] can litigate the common legal questions; any remaining individualized questions about TdA membership can be litigated subsequently in individual habeas actions.” Reply Brief at 13, *A.A.R.P.*, No. 24A1007 (Sup. Ct. Apr. 21, 2025).

In the interests of judicial economy and of preserving the resources of the parties, Petitioners respectfully request that the Court hold this case in abeyance pending adjudication of the amended motion to certify class and appointment of class counsel in *W.M.M.*

On April 24, 2025, Respondents-Defendants' counsel informed the undersigned that Respondents-Defendants are unopposed to holding this case in abeyance pending a decision on class certification in *W.M.M.*

CONCLUSION

For the foregoing reasons, the Court should stay proceedings in this case.

Dated: April 29, 2025

Respectfully submitted,

/s/ Sayoni Maitra

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Counsel for Petitioners-Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on April 29, 2025, a true and correct copy of the foregoing document was electronically filed via the Court's CM/ECF system which sends notice of electronic filings to all counsel of record.

Dated: April 29, 2025

/s/ Sayoni Maitra

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