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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON**

Y.M.M.,

Petitioner,

v.

Cammilla Wamsley, et al.,

Respondents.

Case No. 2:25-cv-2075

**PETITIONER’S EX PARTE MOTION
TO PROCEED UNDER PSEUDONYM**

Note on Motion Calendar:
October 23, 2025

INTRODUCTION

Petitioner Y.M.M. respectfully moves for an order allowing her to proceed under pseudonym in this matter to protect her identity. Petitioner is an asylum seeker from Venezuela who fears government persecution and who was also subjected to severe abuse by a gang in the United States. As alleged in her petition, she was unlawfully re-detained by Department of Homeland Security (DHS) officials in August of this year. She challenges that re-detention as violating her due process rights and seeks immediate release and an order ensuring any future re-detention comports with the requirements of due process.

Given the serious and sensitive nature of the violence Y.M.M. suffered in Venezuela and in the United States, and the risk of harassment, retaliation, violence, and—should she be definitively denied asylum—further persecution in her home country, Petitioner respectfully

1 requests leave to proceed under pseudonym. Petitioner will disclose her identity to government
2 counsel who appear in this case. However, public disclosure of her identity is neither necessary
3 nor warranted. Petitioner should not be required to expose herself to retaliation, public vitriol, or
4 further harm in order to vindicate her legal rights.¹

5 **ARGUMENT**

6 The law is well-settled that parties to litigation may proceed using a pseudonym with
7 leave of the court. *See, e.g., Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 294 (2000) (noting
8 that the district court had permitted the plaintiffs “to litigate anonymously to protect them from
9 intimidation or harassment”).

10 [A] party may preserve his or her anonymity in judicial proceedings in special
11 circumstances when the party’s need for anonymity outweighs prejudice to the
12 opposing party and the public’s interest in knowing the party’s identity. Where
13 pseudonyms are used to shield the anonymous party from retaliation, the district
14 court should determine the need for anonymity by evaluating the following factors:
15 (1) the severity of the threatened harm; (2) the reasonableness of the anonymous
16 party’s fears; and (3) the anonymous party’s vulnerability to such retaliation.

17 *Beilarus1 v. Mayorkas*, No. 2:24-CV-01925-MJP, 2025 WL 104387, at *1 (W.D. Wash. Jan. 15,
18 2025) (internal quotation marks omitted) (quoting *Does I thru XXIII v. Advanced Textile Corp.*,
19 214 F.3d 1058, 1067–68 (9th Cir. 2000)). The court must also assess the prejudice to the
20 opposing party “at each stage of the proceedings” as well as “whether the public’s interest in the
21 case would be best served by requiring that the litigants reveal their identities.” *Id.* (citation
22 modified).

23 ¹ Y.M.M. files this motion ex parte in order to ensure that the question of her ability to
24 proceed pseudonymously is resolved expeditiously given her concurrently filed motion to issue
an order to show cause and issue an expedited briefing schedule. *Cf. R.B.A. v. Noem*, No. C25-
562-KKE, 2025 WL 1285852, at *1 (W.D. Wash. May 2, 2025) (deciding motion to proceed
pseudonymously before defendants had appeared because it found “no reason to delay
disposition of this issue”).

1 Consistent with *Advanced Textile* and other Ninth Circuit precedent, “[c]ourts in this
2 district and broader Circuit have regularly granted plaintiffs leave to file anonymously in cases
3 relating to asylum proceedings.” *A.I. v. USCIS*, No. C25-1276-KKE, 2025 WL 2242510, at *2
4 (W.D. Wash. Aug. 6, 2025) (so holding in mandamus action filed by asylum seeker alleging
5 government failure to timely adjudicate her asylum application) (collecting cases); *see also, e.g.*,
6 *Beilarus1*, 2025 WL 104387 (finding that noncitizens challenging delays in the adjudication of
7 their asylum and withholding of removal applications could proceed pseudonymously given their
8 fear of harm in their home country arising from their political opposition to the president);
9 *R.B.A.*, 2025 WL 1285852 (permitting asylum seeker to proceed pseudonymously in mandamus
10 action given fear of retaliation against her and her family); *A.H.Z. v. Mayorkas*, No. 2:24-CV-
11 01983-JHC, 2024 WL 5398026, at *1 (W.D. Wash. Dec. 18, 2024) (same); *A.B.T. v. USICS*, No.
12 2:11-cv-02108-RAJ, 2012 WL 2995064, at *6 (W.D. Wash. July 20, 2012) (permitting asylum-
13 seeking plaintiffs to proceed using their initials in class action alleging statutory and
14 constitutional violations).

15 This case falls squarely within the type of cases where courts have recognized the
16 primacy of a party’s privacy interests.

17 **1. Disclosure Poses a Risk of Retribution and Further Harm to Y.M.M.**

18 As the Ninth Circuit has recognized, “physical harm presents the paradigmatic case for
19 allowing anonymity.” *Doe v. Kamehameha Sch./Bernice Pauahi Bishop Est.*, 596 F.3d 1036,
20 1043 (9th Cir. 2010). Here, publicly revealing the true name of an asylum-seeker who is also a
21 trafficking survivor puts Y.M.M. at risk of serious retaliatory harm, both in the United States as
22 well as in Venezuela.

23 Y.M.M. has already suffered significant violence and trauma in Venezuela. She and her
24 mother were victims of direct violence; she has been threatened and blacklisted; and she

1 witnessed a friend be shot and killed by government forces during a political protest. Y.M.M.
2 Decl. ¶ 2. Her application for asylum is pending before the immigration court in Tacoma,
3 Washington. *Id.* ¶ 10. Additionally, once in the United States, Y.M.M. was a victim of human
4 trafficking when a gang subjected her to “terrible abuse” that “still haunts [her] to this day.” *Id.*
5 ¶ 4. Although one of the perpetrators has been arrested, she reasonably fears being found and
6 targeted once again by others gang members if her name is public. *Id.*; *id.* ¶ 11. Y.M.M. intends
7 to apply for a T nonimmigrant visa for victims of trafficking. *Id.* ¶ 12.

8 The federal government recognizes the special vulnerability to harm faced by asylum
9 seekers and victims of trafficking. The need for confidentiality regarding asylum seekers, *see*
10 8 C.F.R. § 208.6, as well as victims of trafficking who apply for a T visa, 8 U.S.C. § 1367(a)(2),
11 is enshrined in law and regulation. *Cf.* Fed. R. Civ. P. 5.2(c) (limiting remote access to case files
12 in cases involving “immigration benefits or detention”). According to U.S. Citizenship and
13 Immigration Services (USCIS):

14 Public disclosure of asylum-related information may subject the claimant to
15 retaliatory measures by government authorities or non-state actors in the event
16 that the claimant is repatriated, or endanger the security of the claimant’s family
17 members who may still be residing in the country of origin. Moreover, public
18 disclosure might, albeit in some limited circumstances, give rise to a plausible
19 protection claim where one would not otherwise exist by bringing an otherwise
20 ineligible claimant to the attention of the government authority or non-state actor
21 against which the claimant has made allegations of mistreatment.

22 USCIS Asylum Division, *Fact Sheet: Federal Regulations Protecting the Confidentiality of*
23 *Asylum Applicants* at 2 (Oct. 18, 2012), available at [https://www.uscis.gov/sites/default/files/](https://www.uscis.gov/sites/default/files/document/fact-sheets/Updated_Fact_Sheet_on_Confidentiality_10_18_12.pdf)
24 [document/fact-sheets/Updated_Fact_Sheet_on_Confidentiality_10_18_12.pdf](https://www.uscis.gov/sites/default/files/document/fact-sheets/Updated_Fact_Sheet_on_Confidentiality_10_18_12.pdf). Similarly, USCIS
explains that “DHS may not generally disclose any information relating to applicants for T
nonimmigrant status, as that information could be used against them by traffickers or others who
would seek to harm them.” USCIS, Policy Manual, *Chapter 14 – Confidentiality Protections and*

1 *Prohibitions Against Disclosure*, at A (current as of Oct. 20, 2025), available at
2 <https://www.uscis.gov/policy-manual/volume-3-part-b-chapter-14#footnote-1>.

3 Disclosure of Y.M.M.’s identity puts her at risk of harm in the United States as well as
4 persecution should she be forced to return to Venezuela. This fear is reasonable given her
5 previous experiences with direct and threatened physical injury. *See Kamehameha*, 596 F.3d at
6 1044 (“[P]laintiffs are not required to prove that the defendants intend to carry out the threatened
7 retaliation. What is relevant is whether plaintiffs were threatened, and whether a reasonable
8 person would believe that the threat might actually be carried out.” (citation modified)); *Doe 1 v.*
9 *GitHub, Inc.*, 672 F. Supp. 3d 837, 853 n.11 (N.D. Cal. 2023) (clarifying “the standard for
10 reasonable fear in this context is more permissive than in First Amendment ‘true threat’ cases”).

11 Because Y.M.M. reasonably fears severe harm and her status as an asylum seeker and the
12 victim of trafficking makes her especially vulnerable to such harm, the first three *Advanced*
13 *Textile* factors weigh heavily in favor of permitting her to proceed pseudonymously. *See, e.g.,*
14 *A.B.T.*, 2012 WL 2995064, at *6.

15 **2. There Is No Risk Of Prejudice To Respondents.**

16 The crux of this petition is whether Respondents’ re-detention of a previously-released
17 noncitizen without affording her a pre-deprivation hearing before a neutral decisionmaker, where
18 the government was required to establish that the noncitizen was a flight risk or danger to the
19 community, comports with procedural due process. While the facts of Y.M.M.’s immigration
20 history and interactions with DHS are relevant to this inquiry, her identity is not. Where the
21 plaintiff’s identity is not itself a material fact in the lawsuit, allowing a plaintiff to proceed
22 anonymously causes no prejudice. *See, e.g., Karnoski v. Trump*, No. C17-01297MJP, 2017 WL
23 11431253, at *1 (W.D. Wash. Oct. 10, 2017) (“[S]ince Jane Doe’s identity has little bearing on
24

1 Defendants' ability to address the legal issues raised, allowing Jane Doe to proceed anonymously
2 will not prejudice Defendants.”).

3 Additionally, Y.M.M.'s counsel will promptly notify Respondents' counsel of Y.M.M.'s
4 true identity when they appear in this case. “Therefore, [Respondents'] ability to develop their
5 case will not be impeded by [Petitioner's] anonymity,” *R.B.A.*, 2025 WL 1285852, at *2, and
6 allowing Y.M.M. to proceed under a pseudonym will not unfairly prejudice Respondents, *see*
7 *also, e.g., Doe v. Noem*, 781 F. Supp. 3d 1055, 1063 (E.D. Cal. 2025) (concluding there was no
8 prejudice to defendants where their “counsel will have access to plaintiff's identity and be
9 permitted to share that information as necessary for purposes of this litigation”); *Doe I*, 2025
10 WL 1434925, at *1 (finding no prejudice where “privately [plaintiffs'] identities have already
11 been disclosed to Defendants”); *Beilarus I*, 2025 WL 104387, at *1 (similar); *A.H.Z.*, 2024 WL
12 5398026, at *1 (finding “no prejudice to the Government because Plaintiff will share his identity
13 with the Government”).

14 **3. Allowing Y.M.M. to Proceed Under a Pseudonym Is in the Public Interest.**

15 Where the defendant is either a government entity or official, courts often count the
16 public interest factor as weighing in favor of leave to proceed under a pseudonym. *See E.W. v.*
17 *N.Y. Blood. Ctr.*, 213 F.R.D. 108, 111 (E.D.N.Y. 2003) (“[W]here a plaintiff attacks
18 governmental activity . . . the plaintiff's interest in proceeding anonymously is considered
19 particularly strong.”). This is because the plaintiff “presumably represents a minority interest
20 (and may be subject to stigmatization), and there is arguably a public interest in a vindication of
21 his rights,” while “the government is viewed as having a less significant interest in protecting its
22 reputation from damaging allegations than the ordinary individual defendant.” *Id.*; *see also, e.g.,*
23 *Washington State Ass'n of Head Start & Early Childhood Assistance & Educ. Program v.*
24 *Kennedy*, No. C25-781-RSM, 2025 WL 1685420, at *2 (W.D. Wash. June 16, 2025) (“[T]he fact

1 that this case has been brought against the federal government, rather than private parties,
2 supports permitting Declarants to proceed anonymously.” (citation modified)). The ramifications
3 of forcing Y.M.M. to reveal her identity publicly in order to pursue her claims arising from
4 government misconduct would be sweeping and would limit access to the courts for anyone with
5 a legitimate fear of mistreatment or retaliation if publicly exposed.

6 Additionally, “the public at large will be no worse off since the Court’s legal analysis is
7 public,” *Doe I*, 2025 WL 1434925, at *1, and “[a]nonymity will not obstruct public scrutiny of
8 the important issues in this case,” *A.H.Z.*, 2024 WL 5398026, at *1. This is particularly so where,
9 as here, public knowledge of Petitioner’s identity is not necessary to resolving the merits. *See*,
10 *e.g.*, *GitHub*, 672 F. Supp. 3d at 854 (“Where the plaintiffs’ identities are not central to the issues
11 raised by a case, however, the public interest may not be harmed by permitting plaintiffs to
12 proceed pseudonymously.”).

13 The public interest therefore weighs in favor of Y.M.M.’s request.

14 CONCLUSION

15 To require Y.M.M. to disclose her identity publicly risks serious retaliation, harassment,
16 and and further persecution. Conversely, by pursuing this case under a pseudonym, Y.M.M. will
17 be able to vindicate her rights without precluding Respondents from being able to litigate this
18 case or detracting from the public’s ability to appreciate the issues at stake. Y.M.M. therefore
19 respectfully requests that this Court grant her motion to proceed pseudonymously.

20
21 DATED this 23rd day of October, 2025.

22 Respectfully submitted,

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9
10 **WORD COUNT CERTIFICATION**

11 I, Glenda M. Aldana Madrid, certify that this motion contains 1,992 words, in compliance
12 with the Local Civil Rules.

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