

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

M.M.

*Plaintiff,*

v.

KRISTI NOEM, Secretary of Homeland Security, in her official capacity; TODD LYONS, Acting Director, U.S. Immigration and Customs Enforcement, in his official capacity; PAMELA BONDI, Attorney General, in her official capacity; and MARCO RUBIO, Secretary of State, in his official capacity

*Defendants.*

Civil Action No.

**PLAINTIFF'S MOTION TO PROCEED UNDER INITIALS OR PSEUDONYMS**

Plaintiff M.M., through undersigned counsel, hereby respectfully moves this Court to:

- (1) allow him in the above-referenced action to proceed pseudonymously (using initials M.M.);
- (2) ensure that he be referred to by his initials on the docket, in all pleadings and other documents related to this litigation, and in all proceedings held before this Court; and
- (3) prohibit Defendants from disclosing any personally-identifying information that could lead to Plaintiff's identification.

When evaluating motions to proceed pseudonymously, whether for plaintiffs or non-plaintiff declarants, courts balance the following factors "against countervailing interests in full disclosure":

- (1) whether the justification asserted by the requesting party is merely to avoid the annoyance and criticism that may attend any litigation or is to preserve privacy in a matter of sensitive and highly personal nature;
- (2) whether identification poses a risk of retaliatory physical or mental harm to the requesting party or even more critically, to innocent non-parties;
- (3) the ages of the persons whose privacy interests are sought to be protected;
- (4)

whether the action is against a governmental or private party; and, relatedly, (5) the risk of unfairness to the opposing party from allowing an action against it to proceed anonymously. *In re Sealed Case*, 931 F.3d 92, 96-97 (D.C. Cir. 2019).

The balance of the *In re Sealed Case* factors strongly favors allowing M.M. to proceed pseudonymously in this case. Here, identifying M.M. will place him at further risk of harm if he is removed to Ghana or ultimately refouled to the Gambia. His life is already in danger and if forcibly sent to either of those countries, will be trying his best to ensure his safety by remaining in hiding or at least keeping a low profile. Further publicizing his case will put him in more danger. In this action against the Government, there is no unfairness to the Government if M.M. proceeds anonymously.

Notwithstanding Local Civil Rule 7(m), Plaintiff's counsel has not yet conferred with Defendants' counsel about this motion, due to the emergency nature of this filing. Plaintiff's counsel will attempt to rectify that promptly and update the Court.

### CONCLUSION

Because the relevant factors weigh in favor of allowing M.M. to proceed via pseudonym, the Court should grant the Motion.

Dated: November 6, 2025

Respectfully submitted,

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*\*Motions for admission pro hac vice forthcoming*