

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

M.C.H.L.,)
A# [REDACTED])

Petitioner,)

vs.)

DAVE ROBERSON, *in his official capacity as*)
Sheriff of Floyd County Detention Center; and)
LADEON FRANCIS, *Field Office Director for*)
ICE Atlanta Field Office, and)
TODD LYONS, *in his official capacity as*)
Acting Director of ICE; and)
KRISTI NOEM, *DHS Secretary; and*)
PAMELA BONDI, *U.S. Attorney General.*)

Respondents.)

CASE NO.:
4:25-cv-00329-WMR

**MOTION FOR LEAVE TO PROCEED UNDER A PSEUDONYM
AND TO REDACT OR SEAL IDENTIFYING INFORMATION**

Now comes Petitioner, M.C.H.L. by and through counsel, Karen Weinstock of Weinstock Immigration Lawyers, P.C., and hereby moves for leave to proceed under a pseudonym (her initials) and to redact or seal identifying information in all public filings. Petitioner is an asylum applicant whose claim involves highly sensitive facts and a real risk of retaliation if her identity is publicly disclosed. The relief sought is narrowly tailored to protect Petitioner's safety and the confidentiality interests mandated by federal asylum law, without prejudicing Respondents or unduly restricting public

access to the proceedings. This motion is pursuant to Federal Courts' authority to allow parties to use a pseudonym in the title of the case and in all filings in the interest of Petitioner's safety, privacy, and confidentiality.

In support thereof, Petitioner submits the following information, as well as the accompanying memorandum of authorities in support of the instant motion:

1. FRCP 10(a) generally requires the naming of all parties in a lawsuit. Exceptions to this rule exist when anonymity is necessary to protect a party from potential harm or when compelled by significant privacy interests.
2. Petitioner has filed a writ of habeas corpus to challenge her ongoing civil immigration detention following an Immigration Judge's release order and the U.S. Department of Homeland Security's (DHS) invocation of an "arriving alien" or "applicant for admission" designation against her subjecting her to mandatory detention as well as unlawful detention and revocation of her Order of Release on Recognizance (Form I-220A).
3. The filings in this matter necessarily reference Petitioner's pending Form I-589, Application for Asylum and Withholding of Removal, and related sensitive facts that, if publicly linked to her name, could create a risk of retaliation to Petitioner and her family and would contravene the strong confidentiality protections recognized for asylum matters.

4. Publicly linking Petitioner's name to a lawsuit that reveals she has a pending asylum application could also subject her to retaliation and increased scrutiny by the Department of Justice (DOJ), the same department that she is suing and that oversees the Executive Office for Immigration Review (EOIR), the agency that will make the decision of whether to ultimately Petitioner's asylum application.
5. Petitioner respectfully requests that the Court authorize the use of her initials in the case caption and throughout all public filings, permit the filing of redacted exhibits, and allow the filing of unredacted materials under seal as needed, with disclosure of Petitioner's full identity to the Court and Respondents' counsel
6. The accompanying memorandum of authorities demonstrates that the use of a pseudonym is warranted in Petitioner's case. Petitioner respectfully requests that the Court grant the instant Motion to proceed under a pseudonym.

PRAYER FOR RELIEF

WHEREFORE, Petitioner has demonstrated that this Court may enter an order granting the following relief:

1. Permits Petitioner to proceed under her initials in the case caption and all public filings;

2. Permit redaction of Petitioner's name and other identifying information from public access (e.g., by substituting initials or a pseudonym), and restrict public access to key documents or docket entries that reveal the nature of the relief sought;
3. Authorize filing of unredacted versions of documents under seal where necessary to protect personally identifying information of Petitioner and her family;
4. Requires that, to the extent the Court needs unredacted materials, Petitioner file them under seal, and that Respondents treat such materials as confidential and use them only for purposes of this litigation;
5. Directs the parties to redact personally identifying information (including full name, date of birth, A-Number, country of birth, addresses, and family names) from public filings and transcripts, consistent with applicable rules of procedure and local rules;
6. Authorize Petitioner to file future documents of a similar nature under seal without further leave of Court;
7. Allows Petitioner or her attorney to disclose her full name to Respondent's counsel and any other persons the Court designates, subject to the protective terms above;

8. In the alternative, seal the entire docket and all documents associated with this case;
9. Grant such other and further relief as the Court deems just and proper; and
10. Further, Petitioner respectfully requests that the Court's sealing order include language confirming that, if necessary, Petitioner may use the order in support of third-party requests (e.g., to internet search engines) to remove or deindex search results linking to the sealed case materials, in order to effectuate the intended privacy protections.

Eleventh Circuit Authority: Standard and Application to Asylum Cases

The Eleventh Circuit has established a clear standard for when a party may proceed under a pseudonym in federal litigation. The controlling test is whether the plaintiff's "substantial privacy right outweighs the customary and constitutionally-embedded presumption of openness in judicial proceedings." *Doe v. Frank*, 951 F.2d 320, 323 (11th Cir. 1992)[1],[2]. The court in *Doe v. Frank* explained that pseudonymity is permitted only in "exceptional cases involving matters of a highly sensitive and personal nature, real danger of physical harm, or where the injury litigated against would be incurred as a

result of the disclosure of the plaintiff's identity." *Id.* The risk of mere embarrassment is not sufficient; rather, the need for anonymity must clearly outweigh the public's interest in open proceedings.

Asylum claims, by their very nature, frequently involve "matters of a highly sensitive and personal nature" and often present a "real danger of physical harm" or retaliation if the applicant's identity is disclosed. Courts have recognized that the disclosure of an asylum applicant's identity can expose the applicant and their family to serious risks, including reprisals in their country of origin. These circumstances fall squarely within the types of "exceptional cases" the Eleventh Circuit contemplates as justifying pseudonymity.

While *Doe v. Frank* did not involve an asylum applicant, its standard is directly applicable to such cases. District courts within the Eleventh Circuit have applied this balancing test to grant pseudonym protection in immigration and asylum matters, particularly where disclosure would endanger the applicant or their family, or where the case involves highly sensitive facts. For example, in *Blake v. U.S. Attorney General*, 945 F.3d 1175, 1180 (11th Cir. 2019), the court sealed sensitive asylum-related records to protect the applicant's confidentiality. Similarly, in *Perez-Guerrero v. U.S. Attorney General*, 717 F.3d 1224, 1236 (11th Cir. 2013), the court granted a request to seal an asylum application and related affidavits due to the risk of harm from disclosure.

Accordingly, in the context of asylum proceedings, the Eleventh Circuit's standard supports the use of a pseudonym where the applicant demonstrates a substantial privacy interest—such as the risk of retaliation, harm, or exposure of intimate facts—that outweighs the presumption of openness and does not prejudice the opposing party. The sensitive nature of asylum claims and the statutory and regulatory confidentiality protections (see 8 C.F.R. § 208.6) further reinforce the appropriateness of pseudonymity in these cases.

Respectfully Submitted,

This 15th day of November, 2025.

/s/ Karen Weinstock
Karen Weinstock
Attorney for Petitioner
Weinstock Immigration Lawyers, P.C.
1827 Independence Square
Atlanta, GA 30338
Phone: (770) 913-0800
Fax: (770) 913-0888
kweinstock@visa-pros.com

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

M.C.H.L.,)
A# [REDACTED])

Petitioner,)

vs.)

DAVE ROBERSON, *in his official capacity as*)
Sheriff of Floyd County Detention Center; and)
LADEON FRANCIS, *Field Office Director for*)
ICE Atlanta Field Office, and)
TODD LYONS, *in his official capacity as*)
Acting Director of ICE; and)
KRISTI NOEM, *DHS Secretary; and*)
PAMELA BONDI, *U.S. Attorney General.*)

Respondents.)

CASE NO.:
4:25-cv-00329-WMR

CERTIFICATE OF COMPLIANCE

I hereby certify, pursuant to Local Rules 5.1 and 7.1(D), that the filing(s) filed
herewith have been prepared using Century Schoolbook, 13 point font.

/s/ Karen Weinstock
Karen Weinstock
Attorney for Petitioner
Weinstock Immigration Lawyers, P.C.
1827 Independence Square
Atlanta, GA 30338
Phone: (770) 913-0800
Fax: (770) 913-0888
kweinstock@visa-pros.com

CERTIFICATE OF SERVICE

I certify that on November 15, 2025, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to Respondents' attorney(s) of record.

/s/ Karen Weinstock

Karen Weinstock
Attorney for Petitioner
Weinstock Immigration Lawyers, P.C.
1827 Independence Square
Atlanta, GA 30338
Phone: (770) 913-0800
Fax: (770) 913-0888
kweinstock@visa-pros.com

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

M.C.H.L.,)
A# )
)
Petitioner,)
)
vs.)
)
DAVE ROBERSON, *in his official capacity as*)
Sheriff of Floyd County Detention Center; and)
LADEON FRANCIS, *Field Office Director for*)
ICE Atlanta Field Office, and)
TODD LYONS, *in his official capacity as*)
Acting Director of ICE; and)
KRISTI NOEM, *DHS Secretary; and*)
PAMELA BONDI, *U.S. Attorney General.*)
)
Respondents.)
_____)

CASE NO.:
4:25-cv-00329-WMR

MEMORANDUM OF AUTHORITIES IN SUPPORT OF MOTION TO
PROCEED UNDER A PSEUDONYM AND TO REDACT OR SEAL
IDENTIFYING INFORMATION

Petitioner, M.C.H.L., respectfully asks this Court to use initials in the title of the case and in all filing in the interest of the safety, privacy, and confidentiality of Petitioner who is an applicant for Asylum and for Withholding of Removal (Form I-589 Application) (“Asylum Application”).

I. INTRODUCTION

Petitioner seeks limited, carefully tailored anonymity to protect the confidentiality and safety interests inherent in asylum matters. Publicly linking Petitioner's name to the facts underlying her protection claim risks retaliation and undermines the strong confidentiality policies codified in the asylum regulations. The requested relief will not prejudice Respondents, who already know Petitioner's identity via her A-Number, and it preserves public access to the judicial process while safeguarding Petitioner and her family.

II. BACKGROUND

As detailed in the habeas petition, ECF Dkt. 1, Petitioner has a pending asylum application and is currently detained by ICE following DHS's invocation of the "applicant to admission" or "arriving alien" detention statute as applied to her and claiming that she is subject to mandatory detention under 8 U.S.C. § 1225(b)(2), even though she has been detained in the interior and any detention, if one is authorized, should be governed by 8 U.S.C. § 1226(a). The filings to be submitted in this case necessarily describe aspects of Petitioner's protection claim and family circumstances. Petitioner requests leave to proceed under her initials and to redact or seal personally identifying information from public filings, with unredacted materials available under seal to the Court and to Respondents' counsel.

III. LEGAL STANDARD

Federal Rule of Civil Procedure 10(a) establishes a strong presumption in favor of open judicial proceedings by requiring that the names of all parties appear in the caption of every complaint and subsequent pleading. This presumption reflects both common law tradition and First Amendment values favoring transparency in the courts. However, the Eleventh Circuit has made clear that this presumption is not absolute. Courts retain discretion to permit parties to proceed under a pseudonym in “exceptional cases” where a litigant’s substantial privacy interests outweigh the public’s interest in open proceedings and any potential prejudice to the opposing party.

The controlling standard in the Eleventh Circuit is set forth in *Doe v. Frank*, 951 F.2d 320, 323 (11th Cir. 1992), which holds that pseudonymity is appropriate only in “exceptional cases involving matters of a highly sensitive and personal nature, real danger of physical harm, or where the injury litigated against would be incurred as a result of the disclosure of the plaintiff’s identity.” The court further explained that the risk of mere embarrassment is not enough; the need for anonymity must clearly outweigh the presumption of openness. This standard was reaffirmed in *Roe v. Aware Woman Center for Choice, Inc.*, 253 F.3d 678, 685 (11th Cir. 2001), which articulated the ultimate test as “whether the plaintiff has a substantial privacy right which outweighs the customary and constitutionally-embedded presumption of openness in

judicial proceedings.” The decision to allow pseudonymity is thus a matter of judicial discretion, guided by a careful balancing of interests.

IV. APPLICATION TO ASYLUM CASES AND CONFIDENTIALITY PROTECTIONS

Asylum proceedings are quintessential examples of cases where pseudonymity is warranted. By their nature, asylum claims require applicants to disclose highly sensitive personal information, often involving past persecution, threats, or violence based on protected grounds such as political opinion, religion, or membership in a particular social group. Publicly associating an applicant’s name with the facts underlying their protection claim can expose the applicant and their family to a real and substantial risk of retaliation, both abroad and in the United States.

A. Asylum Laws Mandate Protection of Petitioner’s Privacy

United States asylum law is rooted in the 1951 Convention Relating to the Status of Refugees (the Convention) and the 1967 Protocol Relating to the Status of Refugees (the Protocol). “The United States was an original signatory to both treaties and promptly ratified both.” *E. Bay Sanctuary Covenant v. Trump*, 932 F.3d 742, 757 (9th Cir. 2018). In 1980, Congress passed the Refugee Act of 1980, which brought the United States in compliance with its international obligations under the Convention and the Protocol. *INS v. Cardoza-Fonseca*, 480 U.S. 421, 427, 436-37 (1987).

The 1980 Refugee Act established a statutory procedure for granting asylum to refugees, commanding the Attorney General to establish procedures for noncitizens to apply for asylum, which ultimately codified the country's international obligation to accept asylees. *Id.* at 427; see also 8 U.S.C. § 1158(d)(1). Pursuant to the Supremacy Clause of Article 6, Clause 2, of the United States Constitution, the Constitution, federal laws made pursuant to it, and treaties under its authority are the “supreme Law of the Land.” As evinced by the Supremacy Clause, there exists a compelling government interest in obeying international treaties and complying with federal laws.

The legislative purpose behind Congress's enactment of the Refugee Act of 1980 was to further the “historic policy of the United States to respond to the urgent needs of persons subject to persecution in their homelands ... [and] it is the policy of the United States to encourage all nations to provide assistance and resettlement opportunities to refugees to the fullest extent possible.” Refugee Act of 1980, Pub. L. No. 96–212, 94 Stat. 102. The publication of personally identifiable information of Plaintiff that ties her and her family to the asylum process defeats the purpose of asylum law, which is to provide a safe haven to Petitioner and other refugees in the United States. Further, the public disclosure of Petitioner's identity compromises the integrity of the asylum process in the United States because it puts Petitioner and Petitioner's family at risk of future harm. Here, Petitioner has presented

a compelling government interest in sealing Petitioner's record—namely the need to comply, pursuant to the U.S. Constitution, with international treaties and federal laws that protect refugees and to ensure Congress's legislative intent in enacting 1980 Refugee Act is not undermined by the disclosure of Petitioner's identity.

Recognizing these dangers mentioned above, federal regulations provide robust confidentiality protections for asylum applicants. Under 8 C.F.R. § 208.6(a) "Information contained in or pertaining to any application for refugee admission, asylum, [or] withholding of removal under section 241(b)(3) of the [Immigration and Nationality] Act ... shall not be disclosed without the written consent of the applicant, except as permitted by this section or at the discretion of the Secretary [of Homeland Security]." This regulatory mandate reflects the government's compelling interest in safeguarding the privacy and safety of asylum seekers, and it underscores the appropriateness of pseudonymity in federal court proceedings that would otherwise risk public disclosure of protected information. See also 8 C.F.R. § 1208.6 (prohibiting disclosure by immigration authorities of information contained in asylum applications).

This prohibition on government disclosure of asylum application-related information evinces the confidential nature of Petitioner's own asylum application. Preserving the confidentiality of applications is essential to the purpose of permitting foreign nationals to seek asylum status in the United

States, as a request for asylum is frequently motivated by fear of retaliation or persecution in an applicant's country of origin due to the applicant's religious or political beliefs.

Courts in the Eleventh Circuit and elsewhere have consistently recognized the need for confidentiality and sealing in asylum and related immigration matters. For example, in *Blake v. U.S. Attorney General*, 945 F.3d 1175, 1180 (11th Cir. 2019), the court sealed sensitive asylum-related records to protect the applicant's confidentiality. Similarly, in *Perez-Guerrero v. U.S. Attorney General*, 717 F.3d 1224, 1236 (11th Cir. 2013), the court granted a request to seal an asylum application and related affidavits due to the risk of harm from disclosure. These cases demonstrate that the courts are both authorized and obligated to take appropriate measures—including pseudonymity and targeted sealing—to protect the safety and privacy interests of asylum applicants.

Federal courts across the country have likewise recognized the need for pseudonymity and sealing in sensitive immigration and asylum matters, reinforcing the broad acceptance of this approach. The Sixth Circuit, for example, permitted an asylum applicant to proceed under a pseudonym to protect her family from possible reprisals in *Doe v. I.N.S.*, 867 F.2d 285, 286 n.1 (6th Cir. 1989) (“Although the use of pseudonyms is not favored, we have resorted to it here to protect the petitioner's family, who remain in China, from possible reprisals.”) The Fourth Circuit has emphasized the “utmost

importance” of confidentiality in asylum cases to protect applicants and their families from retaliation, as in *Anim v. Mukasey*, 535 F.3d 243, 253 (4th Cir. 2008). See also *Owino v. Holder*, 771 F.3d 527, 534–35 (9th Cir. 2014) (discussing the confidentiality protections of 8 C.F.R. § 208.6 and the risks of disclosure in asylum cases). The Seventh Circuit has recently granted the use of a pseudonym to mitigate the danger of retaliation in asylum litigation, as in *P.A.-V. v. Bondi*, 148 F.4th 511 (7th Cir. 2025).

These decisions confirm that courts nationwide recognize the unique risks faced by asylum applicants and routinely grant pseudonymity or sealing to protect their safety and the integrity of the asylum process. The relief requested here is thus fully consistent with both Eleventh Circuit precedent and the prevailing approach in federal courts across the country.

In this case, Petitioner seeks only limited, carefully tailored anonymity: the use of initials in the case caption and redaction or sealing of personally identifying information in public filings. This relief is narrowly drawn to protect Petitioner’s safety and the confidentiality interests mandated by law, while preserving public access to the substance of the proceedings. Respondents will suffer no prejudice, as they already know Petitioner’s identity through her A Number and government records, and will have access to unredacted filings under seal. The requested measures are necessary to prevent the very harms that asylum confidentiality is designed to avoid, and

they are fully consistent with both statutory and regulatory protections for asylum seekers. There are many more examples specific to asylum laws that demonstrate there are strong statutory and regulatory protections mandating Petitioner's privacy in public filings that warrant granting of this motion.

Undersigned counsel has been filing writ of habeas lawsuits and Mandamus/APA lawsuits against government Respondents in dozens of cases, and not once did the government object to such a motion to proceed under a pseudonym for an asylum applicant. Therefore, undersigned counsel does not foresee an opposition from the government in this case either.

B. Petitioner has demonstrated compelling safety and confidentiality interests that justify pseudonym protection

Petitioner's filings will reference sensitive facts regarding an asylum protection claim. Publicly associating these facts with Petitioner's name risks retaliation or harm to Petitioner and Petitioner's family—precisely the harms asylum confidentiality aims to prevent. Courts recognize that the danger of retaliation constitutes a compelling justification for pseudonym protection. *Doe v. I.N.S.*, 867 F.2d 285, 286 n.1 (6th Cir. 1989); see also *Anim*, 535 F.3d at 253; *P.A.-V.*, 148 F.4th 511 (7th Cir. 2025).

C. Proceeding under initials and employing targeted redactions impose no unfair prejudice and preserve meaningful public access.

Respondents already know Petitioner's identity by virtue of Petitioner's A-Number, detention status, and the government's own records. Petitioner will promptly disclose Petitioner's full name to the assigned AUSA and file unredacted versions under seal for the Court and Respondents. Narrow tailoring—use of initials in the caption and redaction of personally identifying information—ensures the public can access the substance of the litigation without unnecessary risk to Petitioner. *Roe*, 59 F.4th at 259.

D. Less drastic alternatives are inadequate; the requested relief is narrowly tailored to the risk.

Attempting to redact only portions of the narrative risks inadvertent identification through context and cross-referencing with publicly accessible systems, including detention rosters and docketing platforms. Limited sealing and pseudonym use is the least restrictive means to mitigate foreseeable risks while maintaining transparency of the legal issues. See *Nixon*, 435 U.S. at 598–99; *Hubbard*, 650 F.2d at 317–22.

E. The Public Interest Strongly Favors Protecting Ssylum Confidentiality

The public interest is best served by ensuring that asylum proceedings can be adjudicated without exposing applicants or their families to the risk of retaliation, persecution, or other harm. Allowing bona fide protection

claimants to proceed under a pseudonym directly advances several compelling public interests: (1) strict adherence to statutory and regulatory confidentiality mandates for asylum applicants; (2) encouraging the candid presentation of sensitive facts necessary for fair adjudication; and (3) safeguarding the integrity of judicial proceedings by minimizing avoidable risks of harm to vulnerable parties. Federal courts have repeatedly recognized that the public has a strong interest in preventing the wrongful exposure of asylum seekers to danger, and that confidentiality is essential to the effective functioning of the asylum system. The relief requested here—use of initials, targeted redactions, and limited sealing—is narrowly tailored, temporary, and subject to modification as circumstances change. It strikes an appropriate balance between transparency and the need to protect the safety and privacy of the Petitioner and her family.

F. Additional Factors: No Unfairness or Prejudice to Respondents; Governmental Context Supports Relief

Granting pseudonymity and sealing in this case imposes no unfair prejudice on Respondents. The government already knows Petitioner's identity through her A Number and internal records, and will have full access to unredacted filings under seal. The relief sought is limited to public filings and does not impede the government's ability to defend itself or to access relevant evidence. In fact, courts are generally more inclined to permit pseudonymity

where, as here, the action is against government officials sued in their official capacities, rather than private parties. See, e.g., *Doe v. United States*, 732 F. Supp. 3d 291, 298 (S.D.N.Y. 2024) (noting that suits against the government weigh in favor of pseudonymity).

Moreover, Petitioner is actively seeking immigration benefits from the same agencies she is litigating against. While the risk of retaliation cannot be presumed, the adversarial context and the government's broad discretion in immigration matters create a legitimate concern that public identification could subject Petitioner to adverse discretionary decisions or other forms of harm. This concern is heightened by reports from the immigration bar of discretionary denials in similar contexts. The requested relief is thus a reasonable and proportionate measure to mitigate these risks.

In sum, there is no cognizable prejudice to the government from withholding Petitioner's name from public filings, and the public's interest in open proceedings is preserved by the limited and revisitable nature of the relief. The balance of equities and the relevant legal standards strongly support granting Petitioner's motion to proceed under a pseudonym and to redact or seal identifying information.

IV. CONCLUSION AND REQUEST FOR RELIEF

For the reasons set forth above, Petitioner has demonstrated that this case presents precisely the type of “exceptional circumstances” contemplated by the Eleventh Circuit for permitting pseudonymity in federal litigation. The substantial privacy and safety interests at stake—rooted in the sensitive nature of asylum claims, the real risk of retaliation, and the statutory and regulatory mandates for confidentiality—clearly outweigh the customary presumption of openness in judicial proceedings. Granting the requested relief will not prejudice Respondents, who are fully aware of Petitioner’s identity and will have access to all unredacted materials under seal. The measures sought are narrowly tailored to protect Petitioner and her family while preserving public access to the substance of the proceedings.

Accordingly, Petitioner respectfully requests that the Court grant leave to proceed under her initials in the case caption and all public filings, authorize the redaction or sealing of personally identifying information, and permit the filing of unredacted documents under seal as necessary to protect Petitioner’s confidentiality. Petitioner further requests such other and further relief as the Court deems just and proper to effectuate these protections.

Respectfully Submitted,

This 15th day of November, 2025.

/s/ Karen Weinstock
Karen Weinstock
Attorney for Petitioner
Weinstock Immigration Lawyers, P.C.
1827 Independence Square
Atlanta, GA 30338
Phone: (770) 913-0800
Fax: (770) 913-0888
kweinstock@visa-pros.com