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9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**

11 A.V.V.,

12 Petitioner,

13 v.

14 CHRISTOPHER J. LAROSE, Otay
15 Mesa Detention Facility; GREGORY
16 J. ARCHAMBEAULT, Acting Field
17 Officer Director, U.S. Immigration
18 and Customs Enforcement; TODD M.
19 LYONS, Acting Director of U.S.
20 Immigration and Customs
21 Enforcement; KRISTI NOEM,
22 Secretary of US Department of
23 Homeland Security; PAM BONDI,
24 Attorney General of the United States,

25 Respondents.

Case No.

EX PARTE
MOTION TO PROCEED
PSEUDONYMOUSLY AND FOR
PROTECTIVE ORDER

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1 claims involve “sensitive and highly personal issues,” a party may proceed
2 pseudonymously if the “need for anonymity outweighs prejudice to the opposing
3 party and the public’s interest in knowing the party’s identity.” *Does I thru XXII v.*
4 *Advanced Textile Corp.*, 214 F.3d 1058, 1067–68 (9th Cir. 2000).
5

6 STATEMENT OF FACTS

7 The following facts are supported by the petition for habeas corpus and
8 exhibits. Petitioner is a native and citizen of Nicaragua and an asylum seeker with
9 a pending I-589 before an immigration court. His asylum case presents sensitive
10 facts around his political activities in his home country, which is wracked with
11 political violence.
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14 Petitioner entered the United States on October 1, 2022, was briefly detained,
15 and then Customs and Border Patrol (CBP) paroled him into the U.S. Petitioner
16 subsequently filed an asylum application, and U.S. Citizenship and Immigration
17 Services granted him a 5-year Employment Authorization Document (“work
18 permit”). He works in construction.
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21 Petitioner has never been convicted of a crime nor has he ever had criminal
22 charges pending against him.
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24 II. ARGUMENT

25 When “pseudonyms are used to shield the anonymous party from retaliation,”
26 as alleged here, courts must consider: “(1) the severity of the threatened harm, (2)
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1 the reasonableness of the anonymous party’s fears,” “(3) the anonymous party’s
2 vulnerability to such retaliation,” (4) “the precise prejudice . . . to the
3 opposing party” at “each stage of the proceedings,” and (5) “whether the public’s
4 interest in the case would be best served by requiring that the litigants reveal their
5 identities.” *Does I thru XXII v. Advanced Textile Corp.* at 1068 (citations omitted).

7 In this matter, a protective order and permission to proceed pseudonymously is
8 appropriate.
9

10 **A. IDENTIFICATION OF PETITIONER CREATES A RISK OF**
11 **RETALIATORY HARM.**

12 Petitioner faces a reasonable fear of retaliation given that he has a pending
13 asylum claim. His claim is based upon sensitive political activities and opinions
14 that place him at risk.
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16 Federal law and regulations already recognize that public disclosure of an
17 asylum seeker’s identity places them at risk of retaliation. The disclosure of the
18 identity of asylum seekers and asylees without their consent is prohibited,
19 recognizing that such people or their family members may face harm if an asylee’s
20 name is disclosed. § 208.6; *cf.* Fed. R. Civ. P. 5.2(c) (limiting remote access to
21 case files in cases actions involving “immigration benefits or detention”). Indeed,
22 U.S. Citizenship and Immigration Services (USCIS) recognizes that public
23 disclosure of asylum-related information may “subject the claimant to retaliatory
24 measures by government authorities or non-state actors if the claimant is repatriated
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1 or endanger the security of the claimant’s family members who may still be
2 residing in the country of origin.” USCIS Asylum Division Fact Sheet: Federal
3 Regulations Protecting the Confidentiality of Asylum Applicants, October 18,
4 2012. [https://www.uscis.gov/sites/default/files/document/fact-sheets/Asylum-
5 ConfidentialityFactSheet.pdf](https://www.uscis.gov/sites/default/files/document/fact-sheets/Asylum-ConfidentialityFactSheet.pdf)
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7 Petitioner is from a country wracked by political violence that has shown
8 complete disregard for human rights. He is vulnerable to this retaliatory harm as he
9 is current in removal proceedings and at risk of being removed to his home country.
10 See, e.g., *See Doe v. Becerra*, No. 2:25-cv-00647-DJC-DMC, 2025 WL 691664, at
11 *7 (E.D. Cal. Mar. 3, 2025) (“Given Petitioner is still at risk of removal should his
12 asylum application be denied, he is also acutely vulnerable to retaliation.”).
13
14

15 Petitioner reasonably fears that the public disclosure of identity subjects him
16 and his family to potential retaliatory harm, making a protective order appropriate.
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18 **B. THERE IS NO RISK OF PREJUDICE TO RESPONDENTS.**

19 This lawsuit is an action seeking to compel Respondents to release Petitioner
20 from unlawful detention. As other courts have found, where the Petitioner’s identity is
21 not itself a material fact in the lawsuit, allowing a Petitioner to proceed anonymously
22 causes no prejudice. *See Sealed Petitioner v. Sealed Defendant #1*, 537 F.3d 185, 190
23 (2d Cir. 2008) (citing *Doe v. Del Rio*, 241 F.R.D. 2d 154, 157 (S.D.N.Y. 2006)
24 (“[B]ecause of the purely legal nature of the issues presented or otherwise, there is an
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1 atypically weak public interest in knowing the litigant’s identities.”)). Moreover,
2 Petitioner will promptly provide Respondents’ counsel with his identity. Allowing
3 Petitioner to proceed under pseudonyms will not unfairly prejudice Respondents.
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5 **C. THE PUBLIC INTEREST IS SERVED BY PERMITTING PETITIONER**
6 **TO PROCEED WITH PSEUDONYMITY.**

7 This matter brings forth weighty issues of violations of due process. In addition to
8 the public interest in protecting the identity of asylum seekers, “[t]he public has an
9 interest in avoiding the chilling of lawsuits brought to enforce public rights.” *R.M. v.*
10 *Christopher J. LaRose, et al.*, 3:25-cv-03186-AGS-DEB, SD of Cal, 11/21/2025. The
11 public interest is served by allowing Petitioner to proceed pseudonymously.
12

13 **D. CONCLUSION**

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15 Petitioner does not seek to prevent Respondents from learning the identity of the
16 Petitioner to enable Respondents to investigate the validity of the claims and
17 standing to seek injunctive relief. Petitioner has no objection to providing his legal
18 name to counsel for Respondents and the Court if the motion is granted. Petitioner
19 respectfully asks this Court for leave to proceed under a pseudonym to protect their
20 identity from public disclosure and for a protective order limiting disclosure of their
21 identities to counsel for Respondents. In sum, Petitioner moves for:
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- 23
24 1) Permission to proceed pseudonymously with respect to the public;
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26 2) An order requiring parties to redact or file any information identifying
27 Petitioner under seal;
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3) An order limiting the sharing by Respondents’ counsel of any information about Petitioner’s identity or related personal information beyond what is reasonably necessary for the litigation and to comply with this Court’s orders;

Dated: November 24, 2025

Respectfully Submitted,

/s/ Cara Jobson

Cara Jobson, Esq.
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Attorney for Petitioner