

UNITED STATES DISTRICT COURT DISTRICT

OF CONNECTICUT

M.S., a minor by his Next Friend, C.S., : CIVIL NO. 3:25-CV-2170-(VDO)
Petitioner,

v. :

ANGIE SALAZAR, ET AL. : JANUARY 13, 2026
Respondents.

PETITIONER'S MOTION FOR EXPEDITED DISCOVERY

Petitioner, pursuant to Federal Rules of Civil Procedure 26 and 34, and Rule 6(a) of the Rules Governing Section 2254 Cases (which applies to § 2241 via Rule 1(b)),¹ respectfully moves this Court for an order authorizing discovery in this matter. While judicial review under the Administrative Procedure Act (APA) is typically limited to the administrative record, discovery is warranted here because this is a habeas corpus petition under 28 U.S. C. §2241 that raises independent constitutional claims under the substantive and procedural due process clause of the Fifth Amendment, and Petitioner has also made a threshold showing of bad faith and pretext. Respondents have repeatedly changed the sponsorship requirements and policies and moved the “goal posts” throughout the past twelve months while C.S. has been applying for sponsorship of Petitioner. The alleged reason for denial, “unmitigated questions concerning fraudulent documents,” is so vague as to deny Petitioner his fundamental right to a fair and impartial trial in this matter. For the additional reasons discussed below, and in the accompanying memorandum of law, the motion for expedited discovery should be granted.

¹ Under Rule 6(a) of the Rules Governing Section 2254 Cases (which applies to § 2241 via Rule 1(b)), a judge may authorize discovery only if the petitioner shows “good cause.” The Rule states, in part: “Rule 6. Discovery (a) Leave of Court Required. A judge may, for good cause, authorize a party to conduct discovery under the Federal Rules of Civil Procedure and may limit the extent of discovery.”

I. There Is Ample Good Cause to Grant Discovery in This Case

At present Petitioner is at an extreme disadvantage because the claimed reason for the unconstitutional delay in releasing Petitioner and reuniting him with his family is an allegation that there are “unmitigated questions concerning fraudulent documents.” This reason is so vague as to deny Petitioner his right to Due Process to be able to present his case at the upcoming hearing on February 5, 2026, to prove he is entitled to a TRO and Preliminary Injunction. The standard for discovery in a habeas petition brought under 28 U.S.C. §2241 is much broader than the limited “extra-record” discovery permitted in an APA appeal. As set forth in more detail in the accompanying memorandum of law in support of discovery, unlike a habeas petition brought by a state prisoner under §2254, where the federal court is reviewing a complete state court record after proper and full exhaustion in the state courts, here there is neither a state court record, nor an open, public record for the Petitioner to review or even have access to. Repeated requests for records and information made by Petitioner’s immigration counsel from KIND, Attorney Reagan, and by Attorney Burns, counsel for C.S., went unanswered, ignored or responded to with partial, incomplete records. See ECF Doc. 21-3, Declaration of Attorney Reagan, ¶¶ 53-63.

To make things even more confusing, at the Status Conference held on December 31, 2025, Respondents’ counsel represented that ORR had a concern with a birth certificate of the Next Friend, C.S., and that the alleged “fraudulent” document was not the Petitioner’s birth certificate. Here, there were no open and public administrative proceedings before ORR, but rather the review of the sponsor was essentially done on the papers or by telephone, and there was no opportunity to observe the demeanor of the Petitioner’s Next Friend, C.S. Ordinarily, a reviewing court, either on habeas review or on an administrative appeal, might defer to the credibility findings of the state court or agency factfinder but here, there was no ability to determine if the questions concerning the allegedly “fraudulent

document” can be “attributed to an innocent cause such as difficulty understanding the question.” *Jin Chen v. U.S. Dep’t of Just.*, 426 F.3d 104, 113 (2d Cir. 2005). *Zeng Yu Liu v. Garland*, No. 22-6503 NAC, 2024 U.S. App. LEXIS 84, at *5 (2d Cir. Jan. 3, 2024). Indeed, ORR’s sponsorship review process is so fundamentally flawed neither Petitioner’s Next Friend and potential sponsor nor the attorneys for C.S. and Petitioner had the opportunity to know which document is claimed to be fraudulent or present any evidence to ORR as to whether indeed there was any “fraudulent” intent.

Discovery is needed for good cause in light of the Respondents’ shifting reasons. See e.g. *Blanc v. City of Stamford*, No. 3:05CV01354 (DJS) (TPS), 2008 U.S. Dist. LEXIS 58310, at *13 (D. Conn. July 31, 2008). Here, in light of “the contradictory evidence in the record” and the Respondents’ post-hoc rationale, a reasonable factfinder could conclude that the articulated reasons for denial are pretextual and that the actual motivation for denying C.S. as a sponsor was retaliation for Attorney Reagan’s complaint to the Ombuds’ Office (ECF Doc.21-3, ¶ 59) or her November 13, 2025 email to FFS Rivera, as well as FFS Wendys Reyna, FFS Supervisor Sara Fabian, Patricia O’Neill, Acting Supervisor, Legal Affairs Team, Division of Policy Administration and Legal Affairs at ORR, and Alex Parcan, Regulatory and Compliance Counsel at ORR. (ECF Doc. 21-3, ¶62). It seems there is little chance for coincidence, that the very next day, on November 14, 2025, Attorney Reagan received an email announcing the denial. *Id.* ¶ 63.

Temporal proximity raises a material fact in dispute as to whether the reason given by ORR was a pretext, or whether it was retaliation, requiring discovery. When a plaintiff, or in this case the Petitioner, “relies on temporal proximity alone to establish causation, courts ‘uniformly hold that the temporal proximity must be very close,’ which usually means less than three or four months.” *Gehlaut v. N.Y.C. Dep’t of Educ.*, No. 24-1741, 2025 U.S. App. LEXIS 23110, at *6 (2d Cir. Sep. 8, 2025)(citing *Clark Cnty. Sch. Dist. v. Breeden*, 532 U.S. 268, 273(2001) (internal quotation marks

omitted). *See El Sayed v. Hilton Hotels Corp.*, 627 F.3d 931, 933 (2d Cir. 2010) (“The temporal proximity of events may give rise to an inference of retaliation for the purposes of establishing a prima facie case of retaliation ...”) *Abrams v. Dep’t of Pub. Safety*, 764 F.3d 244, 254 (2d Cir. 2014).

Moreover, because under *Loper-Bright*, this Court no longer has to show any deference to ORR’s reading of the relevant statutes and regulations (e.g. that “ORR shall release a child from its custody without unnecessary delay,” 45 C.F.R. § 410.1201 (a)), discovery is needed because “Courts must exercise their independent judgment in deciding whether an agency has acted within its statutory authority, as the APA requires.” *Loper Bright Enters. v. Raimondo*, 603 U.S. 369, 412 (2024). This Court can easily read the statute and can determine there was unnecessary delay in this case, causing irreparable injury. There is no longer any deference due to ORR’s unreasonable interpretation of unnecessary delay, nor to any of ORR’s policy changes. This Court must conduct a de novo review and discovery is necessary to allow the Petitioner an opportunity to make an adequate record.

II. Discovery is Warranted for Constitutional Claims Which Are Not Overlapping

Petitioner’s Habeas Petition and Complaint asserts violations of the Due Process Clause of the U.S. Constitution. Unlike standard APA “arbitrary and capricious” challenges, Constitutional claims are necessarily, and particularly in this case, “extra-record” by nature. To determine whether ORR acted with a wanton disregard for Petitioner’s fundamental liberty interest in family integrity and freedom from detention, thus violating substantive due process or procedural due process, the Court must look beyond the hand-selected, cherry-picked documents the Respondents may choose to include in their so-called “Certified Administrative Record” (“CAR”). Indeed, limiting the Court’s review to a one-sided record would defeat the essential truth-seeking function of the Court. Moreover, should Respondents erroneously claim that this Habeas Petition and Complaint for Declaratory Relief is a simple APA appeal, there would be no witnesses. This approach would not only further deprive the Petitioner of his

fundamental due process right to a fair trial and to make a record for appeal but would also obfuscate the truth. If there were no witnesses, there would be no cross-examination, and “the Supreme Court has emphasized that cross-examination is the ‘greatest legal engine ever invented for the discovery of truth.’” *California v. Green*, 399 U.S. 149, 158, 26 L. Ed. 2d 489, 90 S. Ct. 1930 (1970) (quoting Wigmore on Evidence).” *Cotto v. Herbert*, 331 F.3d 217, 252 (2d Cir. 2003).

Moreover, Respondents’ narrow view of this case is wholly illogical and ignores the fundamental liberty interest and the right of the Petitioner to rely on the Great Writ when his liberty has been unconstitutionally infringed upon without any legitimate compelling governmental interest. The lack of logic is apparent. If Petitioner had brought an action that solely raised constitutional claims, for example an action for injunctive and declaratory relief, he would obviously have the right to conduct discovery. It therefore follows that if Petitioner raises both an APA claim and constitutional claims, he should still be entitled to discovery.

Additionally, Petitioner is raising a habeas corpus claim seeking release from confinement for unconstitutionally lengthy detention and separation from the only family he has ever known. See *Zadvydas v. Davis*, 533 U.S. 678, 701 (2001) (holding that detention longer than six months is presumptively unreasonable). The Supreme Court stated,

After this 6-month period, once the alien provides good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing. And for detention to remain reasonable, as the period of prior post-removal confinement grows, what counts as the “reasonably foreseeable future” conversely would have to shrink.

Zadvydas v. Davis, 533 U.S. 678, 701 (2001).

Petitioner here has been held for more than fifteen (15) months and is a 13-year-old child who has no prospects for being removed in the reasonably foreseeable future. Indeed, he may be required to remain in ORR detention until he reaches age 18, and there is a real possibility he could be placed in a

more restrictive, congregate-care detention center, with no notice or rights to challenge such decision. See ECF No. 21-3, Declaration of Attorney Regan, ¶¶ 67, 68, 69, 70, 71. Petitioner has a right to a trial on his habeas claims and is entitled to conduct discovery to obtain evidence showing that Respondents have no legitimate basis to continue to keep Petitioner detained and separated from his family.

Respondents' argument essentially boils down to this: that by adding an APA count to the Petition, the Petitioner has somehow lost his right under the Federal Rules of Civil Procedure to conduct discovery. Respondents ignore the reality that in this case we are dealing with the life of a thirteen-year-old child suffering irreparable injury, and at risk of clinical depression or even worse, suicidality. (See ECF No. 21-4, Expert report of Dr. Lopez, at 7.) Dr. Lopez further notes,

Being kept apart from his family now, despite their presence and availability in the United States, creates a third major rupture in his attachment system. For a 13-year-old with a disrupted caregiving history, this is not a minor stressor; it signifies an ongoing traumatic separation that is likely to lead to continued psychological harm.

Of course, the Respondents want to limit review of this case to the bare-bones CAR, but they ignore the significant emotional pain and the on-going constitutional violation of violating family integrity and prolonged detention, which Petitioner is suffering. They also ignore the fact that this action is a habeas petition, and the Habeas Rules permit discovery with leave of court. See Rule 6(a) of the Rules Governing Section 2254 Cases.

III. The "Bad Faith" Exception to the Record Rule

Discovery is also appropriate because Petitioner has made a "strong showing in support of a claim of bad faith or improper behavior" by Respondents. See *Citizens to Preserve Overton Park, Inc. v. Volpe*, 401 U.S. 402, 420 (1971). Petitioner has provided unrefuted facts that Petitioner's Next Friend, C.S. was thoroughly vetted, investigated, subjected to numerous family sessions and home studies and approved to be a sponsor for Petitioner's sisters, N.F.S. and D.F.S. The record evidence shows that

ORR released N.F.S and D.F.S to their sponsor, C.S., on April 1, 2025. (See ECF Doc. 21-8). Thus, it has already been determined by ORR, according to their own Policy Guide,² that (1) the potential sponsor [C.S.] is willing and able to provide for the child's physical or mental well-being; (2) the potential sponsor is willing to complete the mandatory fingerprint check and has done so; (3) the physical environment of the home presents no risk to the child's safety or well-being; or (4) release of the child would present no risk to him, the sponsor, household, or community. Policy Guide at § 2.7.4.

One of Petitioner's due process claims involves repeated changes to the ORR Policy Guide by Respondents, in violation of the APA, without notice and comment, which has resulted in a continuous shifting of the "goal posts" for sponsorship. Petitioner also has reason to believe that ORR issued an informal policy directive, whether by memo or email or some other verbal communication, on or about November 2, 2025, directing its agents and employees to stop releasing unaccompanied children.³ This raises concerns that ORR is acting in bad faith and is ignoring their statutory mandate to promptly release children to the least restrictive environment. ORR must prioritize the health, safety, and wellbeing of unaccompanied children in its care while balancing the requirement to "promptly" place Petitioner "in the least restrictive setting that is in the best interest of the child." 8 U.S.C. § 1232(c)(2)(A). However, they have abandoned their statutory mandate and are blindly following a verbal policy directive that has virtually halted all releases. Further, they are being deliberately indifferent to the Petitioner's best interests.

² See ORR Unaccompanied Alien Children Bureau Policy Guide, *available at* <https://acf.gov/orr/policy-guidance/unaccompanied-children-bureau-policy-guide>.

³ Betancourt, Mark, "The Trump Administration Has All But Stopped Reuniting Detained Migrant Children With Families" (Texas Public Radio, December 19, 2025); see: <https://www.tpr.org/news/2025-12-19/the-trump-administration-has-all-but-stopped-reuniting-detained-migrant-children-with-families>

The verbal reason given in this case concerning the denial of C.S. as a sponsor for Petitioner has nothing to do with the Petitioner's best interests or Next Friend's ability to provide for Petitioner's emotional and physical wellbeing and suggests that ORR's stated rationale for the denial was a pretext for an unauthorized political or personal agenda. Discovery is necessary to probe whether the "administrative record" is a post-hoc rationalization of a decision made for improper reasons. Petitioner is not bringing a simple APA appeal but rather seeks a Declaratory Judgment that ORR has acted in violation of Petitioner's statutory right to release him to the least restrictive environment, and in violation of his constitutional right and the fundamental constitutional right to family integrity and freedom.

The Supreme Court consistently has also recognized the fundamental right of parents to make decisions concerning "the care, custody, and management" of their children. "The rights to conceive and to raise one's children have been deemed 'essential,' 'basic civil rights of man,' and '[r]ights far more precious . . . than property rights.' 'It is cardinal with us that the custody, care and nurture of the child reside first in the parents, whose primary function and freedom include preparation for obligations the state can neither supply nor hinder.' The integrity of the family unit has found protection in the Due Process Clause of the Fourteenth Amendment, the Equal Protection Clause of the Fourteenth Amendment, and the Ninth Amendment.' (Citations omitted.) *Stanley v. Illinois*, 405 U.S. 645, 651 (1972). It must be stressed, however, that the right to family integrity is not a right of the parents alone, but "encompasses the reciprocal rights of both parents and children. It is the interest of the parent in the 'companionship, care, custody and management of his or her children,' *Stanley v. Illinois*, [supra], and of the children in not being dislocated from the 'emotional attachments that derive from the intimacy of daily association,' with the parent, *Smith v. Organization of Foster Families for Equality and Reform*, 431 U.S. 816, 844 (1977)." *Duchesne v. Sugarman*, 566 F.2d 817, 825 (2d Cir. 1977).

III. Proposed Limited Discovery – SEE ATTACHED RFPs, INTERROGATORIES, RFAs

Petitioner does not seek a “fishing expedition,” but rather targeted discovery limited to:

- Internal communications (emails, memos) regarding the specific denial of Next Friend’s sponsorship application. (See Exhibit A, attached for specific Requests for Production)
- Interrogatories regarding the criteria used to evaluate Petitioner’s Next Friend versus similarly situated applicants. (See Exhibit B, attached for specific Interrogatories).
- Requests for Admissions to be answered within 14 days to expedite and narrow the scope of the hearing and get clarification on the sponsorship process and the efforts made by C.S.

Pursuant to Rule 6(b) of the Habeas Rules, Petitioner’s proposed discovery is attached hereto.

CONCLUSION

For the reasons stated above, and in the accompanying memorandum in support of this motion, Petitioner respectfully requests that the Court grant this motion and enter a scheduling order allowing for the requested discovery. Petitioner respectfully requests that all responses to discovery be completed in 14 days or no later than January 26, 2026.

Respectfully submitted,

PETITIONER
M.S., a minor by his Next friend, C.S.

By: Steven R. Strom
Steven R. Strom
Fed Bar No. ct01211
151 Livingston St.
New Haven, CT 06511
Tel: 203-804-3683
Email: strom@snet.net

Attorney for Petitioner

CERTIFICATE OF SERVICE

I, Steven R. Strom, counsel of record for the Petitioner, do hereby certify that on this 13th day of January, 2026, a copy of the foregoing Motion for Expedited Discovery, and attached discovery was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

By: Steven R. Strom
Steven R. Strom
Attorney for Petitioner

EXHIBIT A

UNITED STATES DISTRICT COURT DISTRICT OF CONNECTICUT

M.S., a Minor by his Next Friend, C.S. : CIVIL NO. 3:25-cv-2170-(VDO)
Petitioner, :

v. :

ANGIE SALAZAR, ET AL. :
Respondents. : JANUARY 13, 2026

PETITIONER'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS

TO: Angie SALAZAR, in her official capacity as Acting Director of the Office of Refugee Resettlement (ORR); Alex J. ADAMS, in his official capacity as Assistant Secretary, Administration for Children and Families; Robert F. KENNEDY, JR. in his official capacity as Secretary of Health and Human Services; Randi CAVALLARO, in her official capacity of Executive Director of Children's Community Programs of Connecticut; and their grantees, agents, and contractors, and anyone acting on behalf of the Respondents and their attorney of record. ("Respondents").

INTRODUCTION

Pursuant to Federal Rules of Civil Procedure 26 and 34, M.S. by his Next Friend, C.S., Plaintiff/Petitioner, hereby requests that Respondents, produce the following documents and things for inspection by providing the documents in electronic form by email to Petitioner's undersigned attorney at strom@snet.net within thirty (30) days of service of these requests.

DEFINITIONS

1. **"Document"** or **"Documents"** is defined to be as broad as the usage in Fed. R. Civ. P. 34 and includes, but is not limited to, any and all writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations—stored in any medium from which

information can be obtained—including electronic mail (e-mail), text messages, internal instant messages (e.g., Signal, Slack or Teams), and any metadata associated with such files.

2. **“Communication”** means any transmission or exchange of information between two or more persons, whether orally or in writing, including but not limited to letters, emails, faxes, telephone conversations, and face-to-face meetings.
3. **“Agency”** refers to any of the agencies administered by the named Respondents or acting on behalf of the named Respondents including:
 - (a) **“ORR”** refers to the Office of Refugee Resettlement, including its officers, directors, employees, agents, contractors (such as care provider facilities), and any other persons acting including its officers, directors, employees, agents, contractors (such as care provider facilities), and any other persons acting on its behalf;
 - (b) **“ACF”** refers to the Administration for Children and Families, including its officers, directors, employees, agents, contractors (such as care provider facilities), and any other persons acting including its officers, directors, employees, agents, contractors (such as care provider facilities), and any other persons acting on its behalf;
 - (c) **“HHS”** refers to the Department of Health and Human Services, including its officers, directors, employees, agents, contractors (such as care provider facilities), and any other persons acting including its officers, directors, employees, agents, contractors (such as care provider facilities), and any other persons acting on its behalf;
 - (d) **“CCP”** refers to Children’s Community Programs of Connecticut, and any other persons acting on its behalf including its officers, directors, employees, agents, contractors (such as care provider facilities), and any other persons acting on its behalf;

- (e) **"NLFFA"** refers to New Life Foster Family Agency, and any other persons acting on its behalf including its officers, directors, employees, agents, contractors (such as care provider facilities), and any other persons acting on its behalf;
4. **"Next Friend"** or **"C.S."** refers to C [REDACTED] including any agents or representatives.
 5. **"The Child"** refers to M.S., for whom C.S. applied for sponsorship. **"The Child"** also includes including any agents or representatives.
 6. **"The Petitioner"** or **"the Plaintiff"** shall mean **the Child, M.S.**, including any agents or representatives.
 7. **"Petitioner's Father"** or **"The Child's Father"** shall mean D [REDACTED] or D.S., who applied for sponsorship for M.S. and subsequently withdrew his application, including any agents or representatives.
 8. **"Sponsor"** shall mean **"Next Friend"** or **"C.S."** and refers to C [REDACTED], including any agents or representatives.
 9. **"C.S."** shall mean C [REDACTED] the Sponsor and Next Friend.
 10. **"D.S."** shall mean D [REDACTED] Petitioner's Father.
 11. **"The Decision"** refers to the ORR determination dated on or about November 14, 2025, denying C.S. as a sponsor for M.S.
 12. **"Relating to"** or **"Regarding"** means consisting of, referring to, reflecting, containing, or being in any way logically or legally connected with the matter described.
 13. **"Identify"** when used in reference to a document, means to state the date, author, recipient, type of document, and a summary of the subject matter.

INSTRUCTIONS

1. **The “Whole Record”:** In accordance with the Administrative Procedure Act (APA), 5 U.S.C. § 706, these requests seek all materials that were directly or indirectly considered by the Agency in making the Decision.
2. **Electronic Format:** Documents shall be produced in their native electronic format (e.g., .pdf, .msg, .xlsx) with all metadata intact, unless otherwise specified.
3. **Privilege Log:** If any document is withheld under a claim of privilege (e.g., deliberative process or attorney-client privilege), you must provide a privilege log that includes: (a) the date; (b) the author; (c) the recipient; and (d) the specific legal basis for withholding the document.
4. **Continuing Duty:** These requests are continuing in nature. If you discover additional responsive documents after your initial production, you are required to supplement your response promptly under Fed. R. Civ. P. 26(e).

REQUESTS FOR PRODUCTION

1. **REQUEST FOR PRODUCTION NO. 1:** All documents and communications, including but not limited to electronic mail, text messages, and internal case management notes (such as entries in the “UAC Portal”), generated, received, or reviewed by any ORR employee, agent, contractor, Case Manager, Case Coordinator, Federal Field Service officer (“FFS”), FFS Supervisor or Coordinator, or Reunification Specialist (“RS”) relating to the suitability of C.S. as a sponsor. ORR agent or contractor shall include any employee, agent or contractor of The Providencia Group (“TPG”). These documents shall include but not be limited to the following:
 - a. Sponsor suitability determinations
 - b. Recommendations from DSA and/or DCA FFS
 - c. Case reviews in UAC portal - case reviews are any notes uploaded by people carrying out release requests (can also be an email)
 - d. Case notes uploaded in the UAC portal
 - e. Sponsorship assessment case notes from CM, CA, TPG, all FFSs and RSs
 - f. Significant Incident Reports

- g. Internal Incident Reports
- h. Mental health evaluation and clinician notes
- i. Any communications with division of health for UACs
- j. Communications between FFS and shelter staff
- k. Directives within ORR

2. REQUEST FOR PRODUCTION NO. 2: All documents and communications regarding any “Notice of Concerns” (NOC), “Sponsor Assessment,” or “Release Request” forms related to C.S., including all versions (draft and final) and any internal feedback or “staffing” notes associated with these documents.

3. REQUEST FOR PRODUCTION NO. 3: All documents and communications concerning or relating the Child, M.S., or any other miscellaneous file relating to M.S., including but not limited to:

- a. **Initial Intake & UAC Assessments (Forms S-8, S-9, S-11):** Any notes regarding the child’s migration history or trauma that were used to evaluate the sponsor’s ability to provide care.
- b. **Care Provider Staffing Notes:** Any “Inter-Disciplinary Team” (IDT) or other staff meeting minutes or notes where C.S.’s suitability was discussed in the context of the child’s specific needs.
- c. **Inter-Agency Communications:** Any and all emails or memos or communications of any kind, including texts, between ORR, the care provider facility, and the Field Office Coordinator (FFS) regarding or relating to C.S.’s suitability to sponsor M.S.

4. REQUEST FOR PRODUCTION NO. 4: Any and all emails or memos or communications of any kind, including texts, relating to or providing the evidence for the denial of C.S. as sponsor for the child. Please note, under 45 CFR § 410.1206(d), ORR is explicitly required to deliver the “full evidentiary record” including:

- a. Countervailing Evidence:** Any information that led ORR to doubt the sponsor, such as negative reports from a background check, inconsistent statements in interviews, or “Notice of Concerns” (NOCs).
- b. Child’s Case File (Portions):** Relevant parts of the child's file that influenced the decision (e.g., if the child expressed fear of the sponsor or if the child's “Specific Consent” was a factor).
- c. Internal Recommendations:** The “Sponsor Assessment” or “Release Request” documents where the case manager recommended approval or denial.

5. REQUEST FOR PRODUCTION NO. 5: All documents, directives, and communications, including but not limited to electronic mail, text messages, and internal case management notes (such as entries in the “UAC Portal”), generated, received, or reviewed by any ORR employee, contractor, Case Manager, Case Coordinator, Federal Field Service officer (“FFS”) or FFS

Supervisor or Coordinator relating to ORR policies and procedures, and any and all changes in policies and procedure from September 27, 2024 to December 31, 2025, including but not limited to:

- a. **The ORR Policy Guide:** The specific version(s) of the *ORR Unaccompanied Children Program Policy Guide* in effect at the time of the denial (specifically Section 2 regarding Safe and Timely Release), and any other documents reflecting any and all changes to policy and procedure during the relevant timeframe from September 27, 2024 to December 31, 2025, whether contained in the ORR Policy Guide or issued by ORR in any form or manner such as by Memo, General Order, Executive Order, emails, texts, phone calls or otherwise.
- b. All documents and communications, including but not limited to electronic mail, text messages, and internal case management notes providing the “detailed reasoning” for the denial of C.S. as sponsor including but not limited to any recording of the detailed reasoning and a copy of the formal Notification of Denial letter, which must contain “detailed, specific, and individualized reasoning.”

Respectfully submitted,

PETITIONER

M.S., by his Next Friend C 

/s/ Steven R. Strom

Steven R. Strom

Fed Bar No. ct01211

151 Livingston St.

New Haven, CT 06511

Tel: 203-804-3683

Email: strom@snet.net

Attorney for Petitioner, M.S.

CERTIFICATION

I hereby certify that on this date, January 13, 2026 a copy of the foregoing Motion for Expedited Discovery, Memorandum in Support of Motion for Expedited Discovery, with attached Petitioner's First Set Of Requests For Production Of Documents, Petitioner's First Set of Interrogatories, and Petitioner's First Set of Requests for Admissions, was sent by e-mail to all parties who have an appearance and an email on file on the PACER docket of this case.

A copy of the foregoing was also emailed to the following:

Jillian Rose Orticelli, AUSA
United States Attorney's Office
450 Main Street
Ste 328
Hartford, CT 06103
860-760-7945
Email: jillian.orticelli@usdoj.gov

Sarah D'Addabbo Rocco, AUSA
DOJ-USAO
District of Connecticut
450 Main Street
Rm. 328
Hartford, CT 06103
860-947-1101
Email: sarah.rocco@usdoj.gov

/s/ Steven R. Strom
Steven R. Strom
Attorney for Petitioner

EXHIBIT B

UNITED STATES DISTRICT COURT DISTRICT OF CONNECTICUT

M.S., a Minor by his Next Friend, C.S. : CIVIL NO. 3:25-cv-2170-(VDO)
Petitioner, :

v. :

ANGIE SALAZAR, ET AL. :
Respondents. : JANUARY 13, 2026

PETITIONER'S FIRST SET OF INTERROGATORIES

TO: Angie SALAZAR, in her official capacity as Acting Director of the Office of Refugee Resettlement (ORR); Alex J. ADAMS, in his official capacity as Assistant Secretary, Administration for Children and Families; Robert F. KENNEDY, JR. in his official capacity as Secretary of Health and Human Services; Randi CAVALLARO, in her official capacity of Executive Director of Children's Community Programs of Connecticut; and their grantees, agents, and contractors, and anyone acting on behalf of the Respondents and their attorney of record ("Respondents").

INTRODUCTION

Pursuant to Federal Rules of Civil Procedure 26 and 34, M.S. by his Next Friend, C.S., Plaintiff/Petitioner, hereby requests that Respondents, produce the following documents and things for inspection by providing the documents in electronic form by email to Petitioner's undersigned attorney at strom@snet.net within thirty (30) days of service of these requests.

DEFINITIONS

14. **“Document”** or **“Documents”** is defined to be as broad as the usage in Fed. R. Civ. P. 34 and includes, but is not limited to, any and all writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations—stored in any medium from which information can be obtained—including electronic mail (e-mail), text messages, internal instant messages (e.g., Signal, Slack or Teams), and any metadata associated with such files.

15. **“Communication”** means any transmission or exchange of information between two or more persons, whether orally or in writing, including but not limited to letters, emails, faxes, telephone conversations, and face-to-face meetings.

16. **“Agency”** refers to any of the agencies administered by the named Respondents or acting on behalf of the named Respondents including:

(a) **“ORR”** refers to the Office of Refugee Resettlement, including its officers, directors, employees, agents, contractors (such as care provider facilities), and any other persons acting including its officers, directors, employees, agents, contractors (such as care provider facilities), and any other persons acting on its behalf;

(b) **“ACF”** refers to the Administration for Children and Families, including its officers, directors, employees, agents, contractors (such as care provider facilities), and any other persons acting including its officers, directors, employees, agents, contractors (such as care provider facilities), and any other persons acting on its behalf;

(c) **“HHS”** refers to the Department of Health and Human Services, including its officers, directors, employees, agents, contractors (such as care provider facilities), and any other persons acting including its officers, directors, employees, agents, contractors (such as care provider facilities), and any other persons acting on its behalf;

- (d) **“CCP”** refers to Children’s Community Programs of Connecticut, and any other persons acting on its behalf including its officers, directors, employees, agents, contractors (such as care provider facilities), and any other persons acting on its behalf;
- (e) **“NLFFA”** refers to New Life Foster Family Agency, and any other persons acting on its behalf including its officers, directors, employees, agents, contractors (such as care provider facilities), and any other persons acting on its behalf;
17. **“Next Friend”** or **“C.S.”** refers to C [REDACTED] including any agents or representatives.
18. **“The Child”** refers to M.S., for whom C.S. applied for sponsorship. **“The Child”** also includes including any agents or representatives.
19. **“The Petitioner”** or **“the Plaintiff”** shall mean **the Child, M.S.**, including any agents or representatives.
20. **“Petitioner’s Father”** or **“The Child’s Father”** shall mean D [REDACTED] or D.S., who applied for sponsorship for M.S. and subsequently withdrew his application, including any agents or representatives.
21. **“Sponsor”** shall mean **“Next Friend”** or **“C.S.”** and refers to C [REDACTED] including any agents or representatives.
22. **“C.S.”** shall mean C [REDACTED] the Sponsor and Next Friend.
23. **“D.S.”** shall mean D [REDACTED] Petitioner’s Father.
24. **“The Decision”** refers to the ORR determination dated on or about November 14, 2025, denying C.S. as a sponsor for M.S.
25. **“Relating to”** or **“Regarding”** means consisting of, referring to, reflecting, containing, or being in any way logically or legally connected with the matter described.

26. **“Identify”** when used in reference to a document, means to state the date, author, recipient, type of document, and a summary of the subject matter.

INSTRUCTIONS

5. **The “Whole Record”:** In accordance with the Administrative Procedure Act (APA), 5 U.S.C. § 706, these requests seek all materials that were directly or indirectly considered by the Agency in making the Decision.
6. **Electronic Format:** Documents shall be produced in their native electronic format (e.g., .pdf, .msg, .xlsx) with all metadata intact, unless otherwise specified.
7. **Privilege Log:** If any document is withheld under a claim of privilege (e.g., deliberative process or attorney-client privilege), you must provide a privilege log that includes: (a) the date; (b) the author; (c) the recipient; and (d) the specific legal basis for withholding the document.
8. **Continuing Duty:** These requests are continuing in nature. If you discover additional responsive documents after your initial production, you are required to supplement your response promptly under Fed. R. Civ. P. 26(e).

FIRST SET OF INTERROGATORIES

- (1) Was there a policy change instituted on or about November 2, 2025, that had the effect of either halting or slowing down ORR releases, whether it was in writing or verbal and whether or not it is characterized as a “moratorium,” or simply “enhanced vetting policies”?

(2) Were there other policy changes enacted by ORR throughout the time period from January 20, 2025, up to and including November 14, 2025, related to the sponsorship application or approval process?

(3) If the answer to Interrogatory #1 or #2 is yes, please explain each and every change and the reason therefor.

See: <https://acf.gov/orr/about/ucs/facts-and-data> (last visited Jan 9, 2026)

Released to Sponsors

Total monthly discharges **by category** to individual sponsors, as of the last day of the month, in FY2026.

CATEGORY	OCT	NOV	DEC
Category 1	55	7	37
Category 2	36	8	15
Category 3	15	1	5
Total	106	16	57

(4) Of the 16 releases in November 2025, and the 57 releases in December 2025, (see chart copied above), how many were due to the child aging out at age 18? How many were due to a habeas petition or other legal action being filed that served as the catalyst for the release of the child?

Respectfully submitted,

PETITIONER

M.S., a minor by his Next friend, C.S.

By: Steven R. Strom

Steven R. Strom

Fed Bar No. ct01211

151 Livingston St.

New Haven, CT 06511

Tel: 203-804-3683

Email: strom@snet.net

Attorney for Petitioner

CERTIFICATE OF SERVICE

I, Steven R. Strom, counsel of record for the Petitioner, do hereby certify that on this 13th day of January, 2026, a copy of the foregoing Petitioner's First Set of Interrogatories was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System. A copy of the foregoing was also emailed to the following:

Jillian Rose Orticelli, AUSA
United States Attorney's Office
450 Main Street, Ste 328
Hartford, CT 06103
860-760-7945
Email: jillian.orticelli@usdoj.gov

Sarah D'Addabbo Rocco, AUSA
DOJ-USAO
450 Main Street, Rm. 328
Hartford, CT 06103
860-947-1101
Email: sarah.rocco@usdoj.gov

By: Steven R. Strom

Steven R. Strom

Attorney for Petitioner

EXHIBIT C

UNITED STATES DISTRICT COURT DISTRICT OF CONNECTICUT

M.S., a Minor by his Next Friend, C.S. : CIVIL NO. 3:25-cv-2170-(VDO)
Petitioner, :

v. :

ANGIE SALAZAR, ET AL. :
Respondents. : JANUARY 13, 2026

PETITIONER'S FIRST SET OF REQUESTS FOR ADMISSIONS

TO: Respondents and their Attorneys of Record – All definitions as set forth in the Requests for Interrogatories and Requests for Production apply to the following Requests for Admissions and are incorporated by reference herein.

Petitioner, pursuant to Rule 36 of the Federal Rules of Civil Procedure, requests that Respondents admit, within 14 days of service, the following:

REQUEST FOR ADMISSION NO. 1: Admit that on or about September 30, 2024, the potential sponsor D.S. disclosed to ORR (or its designees) that his wife, C.S., was not the biological mother of the Petitioner, M.S.

REQUEST FOR ADMISSION NO. 2: Admit that on or about September 30, 2024, D.S. informed ORR (or its designees) that the Petitioner's biological mother, R  was deceased.

REQUEST FOR ADMISSION NO. 3: Admit that D.S. disclosed to ORR (or its designees) that the Petitioner's biological mother passed away when the Petitioner was approximately three months old.

REQUEST FOR ADMISSION NO. 4: Admit that at no time during the sponsorship application process did D.S. represent to ORR that C.S. was the biological mother of the Petitioner.

REQUEST FOR ADMISSION NO. 5: Admit that on or about October 24, 2024, the Petitioner, M.S., disclosed during an interview with ORR (or its designees) that he was aware that C.S. was his stepmother and not his biological mother.

REQUEST FOR ADMISSION NO. 6: Admit that on or about October 24, 2024, the Petitioner informed ORR (or its designees) that he considers C.S. to be his mother because she raised him.

REQUEST FOR ADMISSION NO. 7: Admit that C.S. submitted a Family Reunification Application to be a sponsor for the Petitioner in January 2025.

REQUEST FOR ADMISSION NO. 8: Admit that between January 2025 and April 2025, C.S. submitted a valid photo identification and completed the required fingerprinting process for ORR's background check.

REQUEST FOR ADMISSION NO. 9: Admit that between January 2025 and April 2025, C.S. submitted proof of income and proof of address to Respondents.

REQUEST FOR ADMISSION NO. 10: Admit that C.S. participated in and completed a "sponsor assessment interview" conducted by ORR or its care provider.

REQUEST FOR ADMISSION NO. 11: Admit that a second home study was conducted and completed regarding C.S.'s application for sponsorship between January 2025 and April 2025.

REQUEST FOR ADMISSION NO. 12: Admit that the result of the second home study was positive.

REQUEST FOR ADMISSION NO. 13: Admit that C.S. participated in at least six or more family therapy sessions as part of the reunification process requested or required by Respondents.

REQUEST FOR ADMISSION NO. 14: Admit that by May 1, 2025, C.S. had submitted all categories of documentation required by the ORR Sponsor Handbook for a Category 1 sponsor (non-parent relative/step-parent).

REQUEST FOR ADMISSION NO. 15: Admit that at no time between January 2025 and October 2025 did Respondents notify C.S. in writing that the birth certificate of M.S. was suspected of being a “fraudulent document.”

REQUEST FOR ADMISSION NO. 16: Admit that in late March or April 2025, Respondents approved C.S. as a qualified and suitable sponsor for the children N.F.S. and D.F.S.

REQUEST FOR ADMISSION NO. 17: Admit that on or about April 1, 2025, Respondents released N.F.S. and D.F.S. into the physical custody of C.S.

REQUEST FOR ADMISSION NO. 18: Admit that the suitability assessment conducted for the release of N.F.S. and D.F.S. involved the same household and physical residence where M.S. was intended to reside.

REQUEST FOR ADMISSION NO. 19: Admit that the “proof of income” and “proof of address” submitted by C.S. and used to approve the release of N.F.S. and D.F.S. were the same documents submitted for the sponsorship of M.S.

REQUEST FOR ADMISSION NO. 20: Admit that Respondents’ background checks (including fingerprints and child abuse/neglect checks) cleared C.S. to care for minor children in April 2025.

REQUEST FOR ADMISSION NO. 21: Admit that Respondents did not release M.S. to C.S. on April 1, 2025, despite releasing his sisters, N.F.S. and D.F.S., to the same household.

REQUEST FOR ADMISSION NO. 22: Admit that the biological parentage of M.S. (specifically his status as having no biological relationship to C.S.) was a factor in the decision to withhold his release while approving the release of N.F.S. and D.F.S.

REQUEST FOR ADMISSION NO. 23: Admit that at no point during the months-long process were D.S. or C.S. told they could not be sponsors because they are not the biological parents.

REQUEST FOR ADMISSION NO. 24: Admit that at no point during the process were either D.S. or C.S. told they needed to provide documentation showing that they are the legal parents.

REQUEST FOR ADMISSION NO. 25: Admit that ORR's "least restrictive setting" mandate under the TVPRA and the *Flores* Settlement Agreement applies equally to children who are non-biological relatives of their sponsors.

REQUEST FOR ADMISSION NO. 26: Admit that between April 1, 2025, and November 1, 2025, Respondents received reports or clinical notes indicating that the continued separation of M.S. from his sisters and parents was causing him psychological distress or depression.

REQUEST FOR ADMISSION NO. 27: Admit that Respondents have no evidence that C.S. is a capable caregiver for N.F.S. and D.F.S. but an incapable caregiver for M.S.

REQUEST FOR ADMISSION NO. 28: Admit that in May 2025, a case manager or representative of ORR encouraged C.S. to withdraw her sponsorship petition for M.S.

REQUEST FOR ADMISSION NO. 29: Admit that the withdrawal letter signed by C.S. in May 2025 was drafted by an ORR care provider or case manager.

REQUEST FOR ADMISSION NO. 30: Admit that one of the reasons provided to C.S. for the necessity of the withdrawal was her inability to provide a photo ID for N.F.S., a minor child who had been released from ORR custody weeks prior.

REQUEST FOR ADMISSION NO. 31: Admit that ORR already had a photo ID for N.F.S., because she had been in ORR custody since September 27, 2024 and had only been released from ORR custody weeks prior.

REQUEST FOR ADMISSION NO. 32: Admit that in May 2025, Respondents or their designees informed C.S. that withdrawing her petition would facilitate M.S.'s transfer to a long-term foster care program, and M.S. would be closer to C.S.

REQUEST FOR ADMISSION NO. 33: Admit that in May 2025, Respondents or their designees failed to inform C.S. that M.S.'s transfer to a long-term foster care program could result in M.S. remaining in long-term foster care until age 18.

REQUEST FOR ADMISSION NO. 34: Admit that on July 7, 2025, M.S. was transferred to "Children's Community Programs of Connecticut," ("CCP") a long-term foster care program under ORR oversight.

REQUEST FOR ADMISSION NO. 35: Admit that C.S. filed a second application for sponsorship of M.S. in August 2025.

REQUEST FOR ADMISSION NO. 36: Admit that between August 2025 and October 2025, C.S. submitted a second complete set of vetting documents, including but not limited to: sponsorship application, fingerprints, child abuse/neglect checks, proof of address, and a marriage certificate.

REQUEST FOR ADMISSION NO. 37: Admit that in the fall of 2025, C.S. participated in two separate "lengthy" sponsor assessment interviews with Reunification Specialist Jacqueline Borges and Federal Field Specialist (FFS) Ricardo Rivera.

REQUEST FOR ADMISSION NO. 38: Admit that during the interviews with Jacqueline Borges and FFS Ricardo Rivera, C.S. was not informed that M.S.'s birth certificate was considered "fraudulent."

REQUEST FOR ADMISSION NO. 39: Admit that N.F.S. (the sister) and D.S. (the father) submitted all required documentation to serve as “Alternate Caregiver” and “Household Member,” respectively, for M.S.’s second sponsorship application.

REQUEST FOR ADMISSION NO. 40: Admit that as of October 31, 2025, C.S. had fully complied with all requests for information and documentation made by Reunification Specialist Borges and FFS Rivera.

REQUEST FOR ADMISSION NO. 41: Admit that in November 2025, a representative of ORR or CCP orally informed C.S. that her sponsorship application for M.S. was denied.

REQUEST FOR ADMISSION NO. 42: Admit that Respondents did not provide C.S. with a formal, written notice of denial in November 2025 explaining the specific grounds for the decision.

REQUEST FOR ADMISSION NO. 43: Admit that the reason provided orally to C.S. for the denial was an allegation that D.S. had provided a “fraudulent birth certificate” for M.S. to a previous ORR program.

REQUEST FOR ADMISSION NO. 44: Admit that D.S. did not personally submit a birth certificate for M.S. to the New Life Foster Care Program in California, an agent of ORR.

REQUEST FOR ADMISSION NO. 45: Admit that C.S. did not personally submit a birth certificate for M.S. to the New Life Foster Care Program in California, an agent of ORR.

REQUEST FOR ADMISSION NO. 46: Admit that the birth certificates for M.S. and his sisters were in the physical possession of the children when they were first taken into ORR custody.

REQUEST FOR ADMISSION NO. 47: Admit that as early as September 2024, Respondents’ records reflected that C.S. was the stepmother of M.S. and not his biological mother.

REQUEST FOR ADMISSION NO. 48: Admit that as early as September 2024, Respondents' records reflected that the biological mother of M.S. was deceased.

REQUEST FOR ADMISSION NO. 50: Admit that Respondents never provided C.S. or D.S. with a copy of the allegedly "fraudulent" birth certificate or the opportunity to explain its origin.

REQUEST FOR ADMISSION NO. 51: Admit that Respondents have no evidence that either C.S. or D.S. made a knowing material misrepresentation regarding the biological parentage of M.S. at any time during the sponsorship process.

REQUEST FOR ADMISSION NO. 52: Admit that the decision to approve C.S. as a sponsor for N.F.S. and D.F.S. in April 2025 was based on the same vetting of C.S.'s character and household that was later used to deny the sponsorship of M.S.

REQUEST FOR ADMISSION NO. 53: Admit that Respondents' denial of C.S.'s sponsorship of M.S. while simultaneously allowing her to remain the primary caregiver for N.F.S. and D.F.S. is not based on any identified threat to the safety or well-being of the children in the household.

Instructions for Respondents

Under Rule 36, and the Court's expedited discovery order, if you fail to respond to these requests within 14 days, or on the schedule ordered by the Court, the matters may be deemed admitted for the purposes of this action. If a matter is denied, the denial shall fairly meet the substance of the requested admission, and when good faith requires that a party qualify an answer or deny only a part of the matter, the party shall specify so much of it as is true and qualify or deny the remainder.

Respectfully submitted,

PETITIONER

M.S., a minor by his Next friend, C.S.

By: Steven R. Strom

Steven R. Strom

Fed Bar No. ct01211

151 Livingston St.

New Haven, CT 06511

Tel: 203-804-3683

Email: strom@snet.net

Attorney for Petitioner

CERTIFICATE OF SERVICE

I, Steven R. Strom, counsel of record for the Petitioner, do hereby certify that on this 13th day of January, 2026, a copy of the foregoing Petitioner's First Set of Requests for Admissions was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System. A copy of the foregoing was also emailed to the following:

Jillian Rose Orticelli, AUSA
United States Attorney's Office
450 Main Street, Ste 328
Hartford, CT 06103
860-760-7945
Email: jillian.orticelli@usdoj.gov

Sarah D'Addabbo Rocco, AUSA
DOJ-USAO
450 Main Street, Rm. 328
Hartford, CT 06103
860-947-1101
Email: sarah.rocco@usdoj.gov

By: Steven R. Strom

Steven R. Strom

Attorney for Petitioner