

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

G.B.T.,  
*Petitioner,*  
v.  
JOHN RIFE, et al.,  
*Respondents.*

Case No. 2:26-cv-01842-JMY  
Judge John M. Young

**PETITIONER’S MEMORANDUM OF LAW IN SUPPORT OF HIS MOTION FOR  
LEAVE TO PROCEED UNDER PSEUDONYM; TO FILE AN UNREDACTED  
VERSION OF HIS PETITION UNDER SEAL; AND TO FILE UNREDACTED  
EXHIBITS UNDER SEAL**

Petitioner hereby respectfully moves this Court to enter an order granting leave to proceed under a pseudonym (“G.B.T.”); to file an unredacted version of his petition under seal; and to file unredacted versions of his exhibits under seal. Additionally, Petitioner moves to seal unredacted versions of all other subsequent filings, orders, and opinions that implicate Petitioner’s safety and privacy interests. Petitioner respectfully submits this memorandum of law in support of his motion.

Petitioner G.B.T. is an asylum applicant from Nicaragua. In his underlying asylum application, which remains pending, Petitioner describes how he fled Nicaragua under threat of persecution [REDACTED]

[REDACTED] His Petition and accompanying exhibits contain information related to his fear-based claims for relief from removal and his mental health.

After Petitioner was detained in immigration custody for approximately three months, a federal court issued a writ of habeas corpus ordering that he receive a bond hearing. *See* Text Order, *G-B-T- v. Oddo*, No. 3:25-cv-00477-SLH-KAP (W.D. Pa. Jan. 20, 2026), ECF No. 20.

After a full custody proceeding, the immigration judge found that Petitioner was not a danger to the community and that any flight risk would be addressed by payment on a \$7,000 bond alone. *See* ECF 1-5, Bond Order. That bond amount was the *only* condition of his release pursuant to the immigration judge’s order. The government did not appeal the immigration judge’s bond decision. Yet when Petitioner posted bond and was released from immigration detention to reunite with his family in Philadelphia, Pennsylvania, ICE unlawfully and unilaterally subjected him to a new form of custody that constitutes a continuing restraint on his liberty—an ankle monitor with 24/7 GPS tracking and onerous reporting conditions under their Intensive Supervision Appearance Program (ISAP). *See* ECF 1, Petition; ECF 1-8, ISAP Documents.

This case seeks Petitioner’s release from unlawful supervision and vacatur of the policy of the Philadelphia Immigration and Customs Enforcement (ICE) Field Office that imposed it, under which the office shackles noncitizens with electronic GPS ankle monitors and intensive supervision appearance requirements without individualized review of their cases (the “Philadelphia ICE surveillance policy”).

Petitioner is concerned about his privacy and safety regarding this sensitive and detailed information. Petitioner’s fear-based claims are confidential and protected against disclosure pursuant to 8 C.F.R. § 208.6(a), (b). His future filings may also contain information related to his fear-based claims and his mental health. Petitioner has a reasonable fear of severe harm that outweighs the public’s interest in disclosure of his identity. Accordingly, Petitioner’s motion to proceed under pseudonym should be granted.<sup>1</sup>

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<sup>1</sup> On March 20, 2026, counsel provided the U.S. Attorney’s Office for the Eastern District of Pennsylvania with G.B.T.’s Full Name and Alien Identification Number by email.

### **APPLICABLE STANDARD**

Federal Rule of Civil Procedure 5.2(d) states that a court may order a filing be made under seal. Fed. R. Civ. P. 5.2(d). Such an order is appropriate when a moving party has “presented a reasonable fear of severe harm meriting an exception to ‘the public’s common law right of access to judicial proceedings.’” *Doe v. Coll. of New Jersey*, 997 F.3d 489, 495 (3d Cir. 2021) (quoting *Doe v. Megless*, 654 F.3d 404, 408 (3d Cir. 2011)). Courts recognize a general right to public access of judicial records and documents, but it is “uncontested . . . that [this] right . . . is not absolute.” *Nixon v. Warner Comms.*, 435 U.S. 589, 598 (1978). The party seeking anonymity bears the burden of overcoming the presumption of public access. *See Doe v. Evans*, 202 F.R.D. 173 (E.D. Pa. 2001). To obtain anonymity, a party “must show ‘both (1) a fear of severe harm, and (2) that the fear of severe harm is reasonable.’” *Megless*, 654 F.3d at 408 (quoting *Doe v. Kamehameha Sch./Bernice Pauahi Bishop Estate*, 596 F.3d 1036, 1043 (9th Cir. 2010)). “Examples of areas where courts have allowed pseudonyms include cases involving ‘abortion, birth control, transsexuality, mental illness, welfare rights of illegitimate children, AIDS, and homosexuality.’” *Id.* (quoting *Doe v. Borough of Morrisville*, 130 F.R.D. 612, 614 (E.D. Pa. 1990)).

In *Megless*, the Third Circuit recognized a non-exhaustive list of nine factors that should be considered in response to a party’s request to proceed anonymously. The factors that weigh in favor of anonymity include:

- (1) the extent to which the identity of the litigant has been kept confidential;
- (2) the bases upon which disclosure is feared or sought to be avoided, and the substantiality of these bases;
- (3) the magnitude of the public interest in maintaining the confidentiality of the litigant’s identity;
- (4) whether, because of the purely legal nature of the issues presented or otherwise, there is an atypically weak public interest in knowing the litigant’s identities;
- (5) the undesirability of an outcome adverse to the pseudonymous party and attributable to his refusal to pursue the case

at the price of being publicly identified; and (6) whether the party seeking to sue pseudonymously has illegitimate ulterior motives.

*Megless*, 654 F.3d at 409 (citing *Doe v. Provident Life and Acc. Ins. Co.*, 176 F.R.D. 464, 467 (E.D. Pa. 1997)). These six factors are to be weighed against three additional factors that disfavor anonymity and instead favor the traditional rule of openness, including:

(1) the public’s interest in access to the identities of the litigants; (2) whether there is a strong interest in knowing a litigant’s identity because of the litigation’s subject matter, the status of the litigant as a public figure, or for other related reasons; and (3) whether the opposition to the use of a pseudonym by counsel, the public, or the press is illegitimately motivated.

*Id.* The Third Circuit has also “noted [that] the public’s interest in open judicial proceedings always runs counter to a litigant’s interest in anonymity—the question is whether the interest in anonymity outweighs the public’s interest.” *Coll. of New Jersey*, 997 F.3d at 496.

#### **STATEMENT OF RELEVANT FACTS**

This case seeks Petitioner’s release from unlawful supervision and vacatur of the policy of the Philadelphia ICE Field Office that imposed it, under which the office shackles noncitizens with electronic GPS ankle monitors and intensive supervision appearance requirements without individualized review of their cases (the “Philadelphia ICE surveillance policy”). ECF 1. Petitioner was born in 1995 in Nicaragua. *See* ECF 1-7, Declaration of G.B.T. He fled to the United States to seek asylum after experiencing political persecution due to his participation in peaceful student protests against the Nicaraguan dictatorship. *Id.*

Petitioner entered the United States to apply for asylum in September 2022. ECF 1. Immigration officials detained him for two days. *Id.* After determining that he was not a flight risk or danger, DHS released him on September 4, 2022. *Id.* As a condition of his release, ICE ordered G.B.T. to report to its field office within 60 days and comply with virtual reporting requirements. *Id.* Petitioner complied with these reporting requirements for the next three years. *Id.*

On October 24, 2025, ICE detained Petitioner at a routine ICE check in appointment. On January 27, 2026, Respondents held a bond hearing for Petitioner that had been ordered by a federal court upon grant of a habeas corpus petition. *See* Text Order, *G-B-T- v. Oddo*, No. 3:25-cv-00477-SLH-KAP (W.D. Pa. Jan. 20, 2026), ECF No. 20. Petitioner and DHS counsel both submitted evidence in support of their positions. ECF 1. The immigration judge found that Petitioner was not a danger to the community and that any flight risk could be mitigated by the payment of a \$7,000 bond. *See* ECF 1-5, Bond Order. The immigration judge did not impose any additional conditions for his release. *Id.* DHS released Petitioner on January 30, 2026 pursuant to the payment of bond. ECF 1. His United States citizen aunt picked him up from the Moshannon Valley Processing Center on that same date. *Id.*

Upon release, DHS gave Petitioner a letter instructing him to report to the ICE office at 1015 Chestnut Street in Philadelphia. ECF 1. On February 2, 2026, Petitioner attended this appointment where DHS placed Petitioner in the “Pre-Order” supervision plan and ordered him to comply with office visits, ISAP case management, ISAP court tracking, and ISAP home visits, in addition to wearing an ankle monitor. ECF 1-8, ISAP Documents. DHS imposed numerous conditions on Petitioner including an ankle monitor, geographic restrictions, and onerous reporting requirements. *See* ECF 1 (detailing these requirements). The ankle monitor and supervision caused Petitioner significant emotional distress. ECF 1-7. On March 27, 2026, only after the filing of this petition did Respondents release Petitioner from the ankle monitor and ISAP supervision, and instead impose a new form of supervision, ICE reporting.

G.B.T.’s Petition and Exhibits thereto, contain highly personal and sensitive information, including details pertaining to his asylum claim from Nicaragua, the harm he suffered there, and his mental health conditions. If the details surrounding Petitioner’s fear-based claims for relief

were made public, Petitioner is concerned that the disclosure of sensitive information would put him at significant risk if deported to Nicaragua.

### ARGUMENT

This Court should grant the above-requested measures to protect G.B.T.'s safety and privacy interests in light of his genuine fears surrounding the exposure of his identity, linked to his past persecution in Nicaragua. The Third Circuit allows litigants to proceed anonymously when they "ha[ve] a reasonable fear of severe harm that outweighs the public's interest in open litigation." *Megless*, 654 F.3d at 404. Courts in this district applied the *Megless* balancing test and have found parties entitled to anonymity. *See Moe v. Saul*, No. CV 20-1468, 2021 WL 533745, at \*1 (W.D. Pa. Feb. 11, 2021) (allowing the plaintiff in a social security case to proceed anonymously to protect her identity and prevent further injury as a domestic violence victim).

Likewise, courts within the Third Circuit have previously allowed plaintiffs to proceed under pseudonym. *See e.g., Provident Life*, 178 F.R.D. at 468 (permitting the plaintiff's use of pseudonym to prevent revealing her psychiatric disorder); *Doe v. C.A.R.S. Protection Plus, Inc.*, 527 F.3d 358, 371 n.2 (3d Cir. 2008) (upholding district court order permitting the plaintiff to proceed anonymously in a case concerning abortion); *Doe v. Oshrin*, 299 F.R.D. 100, 102, 105 (D.N.J. 2014) (permitting plaintiff to proceed anonymously against defendant who had been convicted of recording and distributing images of the plaintiff in violation of the Child Protection and Obscenity Act, 18 U.S.C. §§ 2255(a), 2252A(a)(5)(B)); *Doe v. Hartford Life & Acc. Ins. Co.*, 237 F.R.D. 545, 550 (D.N.J. 2006) (allowing the plaintiff to proceed anonymously in insurance action to protect diagnosis of bipolar disorder, finding that the "[p]laintiff's interest in remaining anonymous clearly outweigh[ed] the public's interest in the information.").

As outlined above, in *Megless*, the Third Circuit adopted a nine-factor analysis for assessing motions to proceed anonymously, with six factors weighing in favor of granting

anonymity and three factors weighing against anonymity. Granting leave to proceed anonymously does not require that all factors support anonymity, only that the factors in favor of anonymity outweigh the factors against it. *See, e.g., Doe v. Unum Life Ins. Co. of America*, No. CIV.A. 13-6900, 2014 WL 1599919, \*2 (E.D. Pa. April 18, 2024). Here, as detailed below, all nine factors support granting Plaintiffs leave to proceed anonymously.

**A. Petitioner Satisfies All Six Factors in Favor of Granting Anonymity.**

**1. *Petitioner’s identity has been kept confidential.***

First, courts consider the extent to which a petitioners’ anonymity has been preserved. This factor favors plaintiffs “who ‘make substantial efforts to maintain anonymity’ and ‘[l]imit disclosure of sensitive information to few other people.’” *Doe v. Rutgers*, 2019 WL 1967021, \*2 (April 30, 2019) (citation omitted). Here, Petitioner’s identity and immigration court filings have been kept confidential. *See Doe v. Coll. of N.J.*, No. CV 19-20674 (FLW) (ZNQ) 2020 WL 360719, at \*3 (D.N.J. Jan. 22, 2020) (“The Court accepts Doe’s contention that she ‘has made significant efforts to maintain the confidentiality of her identity,’ and will weigh the first factor in favor of her use of a pseudonym.” (citations omitted)). In these proceedings, and prior habeas proceedings,<sup>2</sup> Petitioner adopted a pseudonym and intentionally did not include information in his Petition that would expose his identity. *See, e.g., Unum Life*, 2014 WL 1599919, at \*2 (finding it significant that Plaintiff Doe had used a pseudonym in the complaint and had otherwise “taken measures to maintain the confidentiality of Doe’s identity”).

**2. *These proceedings will require Petitioner to disclose sensitive personal information that will endanger his life and safety.***

Second, courts consider a petitioner’s reasons for seeking anonymity and whether those

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<sup>2</sup> *See also G-B-T- v. Leonard Oddo et al.*, 3:25-cv-00477-SLH-KAP, ECF 12, (W.D. Pa. Dec. 16, 2025) (granting Petitioner’s motion to proceed under pseudonym using his initials).

reasons are reasonable and substantial. Petitioner fears that disclosure of his identity would pose an acute threat to his life and physical safety. *Provident Life*, 176 F.R.D. at 467. The second factor is “the bases upon which disclosure is feared or sought to be avoided, and the substantiality of these bases.” *Megless*, 654 F.3d at 410. This factor asks, “what harm is the litigant seeking to avoid, and is the litigant's fear reasonable?” *Id.* “That a plaintiff may suffer embarrassment or economic harm is not enough. Instead, a plaintiff must show both (1) a fear of severe harm, and (2) that the fear of severe harm is reasonable.” *Doe v. Middlesex County, New Jersey*, 2021 WL 130480, at \*2 (D.N.J. Jan. 14, 2021).

Here, as set forth in the factual background above, Petitioner faces a serious risk of violence if his identity is exposed. These proceedings will reveal details about Petitioner’s past persecution and claims for fear-based relief from removal to Nicaragua. Petitioner’s fear is reasonable and courts in the Third Circuit have granted motions to proceed anonymously where parties have feared for their physical safety, as well as where they faced substantially lesser threats. *See, e.g., Freedom from Religion Found. v. Connellsville Area School Dist.*, 2013 WL 2296075, \*2–3 (W.D. Pa. May 24, 2013) (granting motion to proceed anonymously where plaintiffs faced “threats of violence and ostracism”); *Provident Life*, 176 F.R.D. at 468 (granting motion to proceed anonymously where plaintiff feared being “stigmatized in the community”); *Unum Life*, 2014 WL 1599919, at \*2 (granting motion to proceed anonymously where plaintiff feared the stigma of mental illness and losing her job). This case is most analogous to *Jane W. v. Thomas*, where the court applied the *Megless* balancing test to conclude that due to justified fears of reprisals by their former persecutors in Liberia, the plaintiffs were entitled to proceed anonymously. 560 F. Supp.3d 855 (E.D. Pa. 2021). Like the plaintiffs in *Jane W.*, Petitioner’s reasonable fear of severe harm is based on evidentiary reports of violence, past harm, and a fear of future persecution by armed

officials and government actors. Here, Petitioner faces threats to his life and physical well-being substantially greater than the possibility of stigma or ostracism that courts have found sufficient to grant leave to proceed anonymously. *See Unum Life*, 2014 WL 1599919, at \*2; *Doe v. City of Philadelphia*, 2023 WL 4110064, \*5 (E.D. Pa. June 21, 2023) (granting motion for leave to proceed under pseudonym due to “reasonable fears of stigmatization and reputational harm”).

**3. *The public interest supports maintaining Petitioner’s confidentiality.***

Third, there is a substantial public interest in maintaining the confidentiality of Petitioner’s name. This factor supports anonymity if, “other[s] similarly situated [would] be deterred from litigating claims that the public would like to have litigated” if they could not proceed pseudonymously. *Megless*, 654 F.3d at 410. Here, there is a strong public interest in protecting the privacy of petitioners who are challenging their unlawful governmental actions while pursuing fear-based claims so that these petitioners are not discouraged from asserting their claims. Indeed, there is a “public interest in preserving the courage to sue.” *Delaware Valley Aesthetics, PLLC v. Doe I*, 2021 WL 2681286, at \*2 (E.D. Pa. June 30, 2021). Furthermore, the Government’s interest lies in protecting Petitioner’s confidentiality, as under their own regulations “[i]nformation contained in or pertaining to any application for . . . asylum. . . shall not be disclosed. . .” 8 C.F.R. § 208.6(a) (applicable to the Department of Homeland Security); 1208.6(a) (applicable to the Department of Justice).

**4. *The nature of the issues presented in this case are primarily legal.***

Fourth, the nature of the issues presented in this case, namely whether the government’s ongoing violation of the immigration judge’s bond order and whether the Philadelphia ICE surveillance policy are unlawful and unconstitutional, are primarily legal questions. While a highly fact-dependent case weighs against anonymity, *see Doe v. Cty. of Lehigh*, 2020 WL 7319544, \*4 (E.D. Pa. Dec. 11, 2020), anonymity is favored when the case involves issues purely of

law. *See R.F.M. v. Nielsen*, 365 F. Supp. 3d 350, 372 (S.D.N.Y. 2019) (granting plaintiffs’ motion to proceed anonymously because, among other reasons, “the related records from the New York Family Courts are protected by law from indiscriminate public inspection, and immigration matters are treated with sensitivity under the Federal Rules of Civil Procedure and INA” (internal citations omitted)). Here, Plaintiffs’ use of pseudonyms “will not interfere with the public’s right or ability to follow the proceedings.” *Provident Life*, 176 F.R.D. at 468. Further, even if the issue of the government’s current ankle monitor policy is an issue of public interest, that interest is based on the legal issues in the case and not the identity of Petitioner. *See Lozano v. City of Hazleton*, 496 F. Supp. 2d 477, 513 (M.D. Pa. 2013) (“There is widespread public interest in this case, but that interest is focused not on the identities of the plaintiffs, but on the legal issues at the heart of the case.”). “Moreover, even if Plaintiff’s actual identity remains confidential, these proceedings will remain public, thereby preserving any general public interest in the subject matter of this litigation.” *Doe v. Oshrin*, 299 F.R.D. 100,104 (D.N.J. 2014).

**5. Denying Petitioner leave to proceed anonymously may lead him or other petitioners to “sacrifice” their claims.**

Fifth, denying Petitioner leave to proceed anonymously may lead him or other petitioners to “sacrifice” their claims and never receive a determination on the merits. *See Megless*, 654 F.3d at 410 (directing courts to consider whether a litigant will “potentially sacrifice a potentially valid claim simply to preserve their anonymity”).

**6. Petitioner does not have any “illegitimate ulterior motive” in seeking anonymity.**

Sixth, Petitioner does not have any “illegitimate ulterior motive” for proceeding anonymously. *Megless*, 654 F.3d at 410. Petitioner seeks only to protect his life and safety while pursuing a challenge to his unconstitutional and unlawful detention by Respondents.

**B. No Factors Weigh Against Granting Petitioner Anonymity.**

**1. *The universal level of public interest in knowing the identity of Petitioner is weak.***

First, the general public interest in knowing the identity of Petitioner is weak in this case, where the issues do not turn on the specific identity of the Petitioner, and “the public may continue to follow the proceedings without knowing Plaintiff’s identity.” *Smith v. United States Office of Personnel Mgmt.*, 2014 WL 12768838, \*2 (E.D. Pa. Jan. 21, 2014). Further, “the public will maintain access to the docket and any resolution of [Plaintiffs’] legal claims.” *Unum Life*, 2014 WL 1599919, at \*2; *see also Coll. of New Jersey*, 977 F.3d at 496 (“As we have noted, the public’s interest in open judicial proceedings always runs counter to a litigant’s interest in anonymity—the question is whether the interest in anonymity outweighs the public’s interest.”).

**1. *The Petitioner is not a public figure.***

Second, Petitioner is not a public figure and there is no reason to believe that the public would have an interest in his identity. *See Univ. of Scranton*, No. 3:19CV1486, 2020 WL 1244368, at \*3 (M.D. Pa. Mar. 16, 2020) (“We find no evidence of a widespread, much less universal, public interest in the identity of the plaintiff,” a gay man suing a university). In the Third Circuit, there is a principle that interest in the identities of litigants “is heightened because Defendants are public officials and government bodies.” *Megless*, 654 F.3d at 411. However, while Respondents are government officials whose identities are likely to be a matter of legitimate public interest, their identities are not the issue presented here. *See Doe v. Genesis Healthcare*, 535 F. Supp. 3d 335 (E.D. Pa. 2021) (finding that this factor supports anonymity where identity of government official defendants is not at issue). No party has requested that the Court seal this case, however, which means the public will still be able to follow the proceedings if Petitioner’s motion is granted. *See Doe v. Pa. Dep’t of Corr.*, No. 4:19-CV-01584, 2019 WL 5683437, \*3 (M.D. Pa. Nov. 1,

2019) (citing *Lior Jacob Strahilevitz, Pseudonymous Litigation*, 77 U. CHI. L. REV. 1239, 1246–47 (2010) (explaining why pseudonymous litigation does not meaningfully harm the public's ability to monitor the courts when the case involves obscure litigants)).

**2. *There is no known opposition to Petitioner's proceeding in pseudonym.***

Third, there has been no registered opposition to Petitioner proceeding in pseudonym or indication that it would interfere with the case proceedings. The government informed Petitioner's counsel that it takes no position on this motion. In addition, no countervailing considerations outweigh Petitioner's justified and reasonable concerns about the risks to his life and safety in light of the serious nature of the threats against him by governmental authorities and political actors in Nicaragua.

**CONCLUSION**

Given these compelling safety and privacy concerns, Petitioner respectfully requests that the Court grant leave to file the Petition under pseudonym ("G.B.T."); to file unredacted exhibits under seal; and to seal all other subsequent filings, orders, and opinions that implicate G.B.T.'s safety and privacy interests.

Date: April 7, 2026

Respectfully submitted,

/s/Mikaela Wolf-Sorokin

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**CERTIFICATE OF SERVICE**

I, undersigned counsel, hereby certify that on this date, I filed this Petition for Writ of Habeas Corpus and all attachments using the CM/ECF system. All parties are participating in the CM/ECF system.

Date: April 7, 2026

*/s/Mikaela Wolf-Sorokin*

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