IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

O.E.E.M., Petitioner, v. TODD BLANCHE, *et al.*, Respondents.	Case No. 26-cv-1676 (AJT-IDD)

MEMORANDUM IN SUPPORT OF CONSENT MOTION TO STAY

Federal Respondents, through the United States Attorney for the Eastern District of Virginia, and with the consent of Petitioner, respectfully request that this matter be stayed until Petitioner's motion to re-open[1] is adjudicated in Immigration Court and his request for reconsideration of the denial of his asylum application is fully and finally adjudicated.

1. Petitioner filed a petition for a writ of habeas corpus ("the Petition") alleging, *inter alia*, that he is being unlawfully detained under 8 U.S.C. § 1231(a). (ECF No. 1). He also alleges that, but for the Circumvention of Lawful Pathways Rule which has now been vacated, *see East Bay Sanctuary Covenant v. Trump*, 18-cv-6810-JST, 2026 WL 1256873 (N.D. Cal. May 7, 2026), his asylum application would have been granted.

2. The district court has broad discretion to stay proceedings. *See Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936) ("the power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort

[1] As of the date of this filing, Petitioner has not yet filed the Motion to Re-open in Immigration Court. Based on representations made by counsel for Petitioner, it is Federal Respondents' understanding that the motion will be filed imminently.

for itself, for counsel, and for litigants."). Generally, a district court considers three factors when determining whether to grant a motion to stay: (1) judicial economy, (2) hardship and equity to the moving party if the action is not stayed, and (3) potential prejudice to the non-moving party. *Terrell v. United States*, 1:16-cv-786, 2016 WL 11189986 (E.D. Va. Dec. 14, 2016) (citations omitted). *See also Landis*, 299 U.S. 248 at 255 (district court must "weigh competing interests and maintain an even balance.").

3. Federal Respondents respectfully submit that a stay of this habeas action is appropriate. A final grant of asylum to Petitioner—which will result in his release from immigration detention—will obviate the need for any additional litigation in this habeas action thereby conserving both the party's and this Court's resources. DHS anticipates that, once the motion to reopen is filed, EOIR would adjudicate the motion in a matter of weeks.[2] Petitioner consents to the relief requested in this motion and therefore will not be prejudiced by a stay of these proceedings.

4. Therefore, Federal Respondents respectfully request that this matter be stayed until Petitioner's motion to reopen and his eligibility for asylum are fully and finally adjudicated.

5. A proposed order is attached for the Court's consideration.

Dated: June 24, 2026

Respectfully submitted,

TODD BLANCHE
Acting Attorney General

By: */s/ William Chang*
WILLIAM CHANG
Assistant United States Attorney
Counsel for Federal Respondents
Office of the United States Attorney

[2] The DHS has not taken a position on Petitioner's eligibility for asylum and will wait for Petitioner to file the Motion to Reopen with the Immigration Court before doing so.

2100 Jamieson Avenue
Alexandria, VA 22314
Tel: (703) 299-3712
Fax: (703) 299-3898
E-mail: william.chang2@usdoj.gov