

1 LAZARO ALMEIDA PACHECO (CA SBN 358179)

2 *LPacheco@immdef.org*

3 EMILY GERBER SUGARMAN (CA SBN 339353)

4 *ESugarman@immdef.org*

5 IMMIGRANT DEFENDERS LAW CENTER

6 634 S. Spring Street, 10th Floor

7 Los Angeles, CA 90014

8 Telephone: 213-438-9014

9 Facsimile: 213-282-3133

10 *Pro Bono Attorneys for Petitioners*

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION**

E.R.F. et al.,

Petitioner,

v.

Angie Salazar, et al.,

Respondents.

Case No. 5:26-cv-03705-WLH-DSR

Hon. Wesley L. Hsu

United States District Judge

**PETITIONERS' OPPOSITION TO
RESPONDENTS' MOTION TO
EXTEND TIME TO RESPOND TO
COMPLAINT AND PETITION FOR
WRIT OF HABEAS CORPUS**

Petitioners respectfully oppose Respondents' Motion to Extend Time to File Answer to Petition for Writ of Habeas Corpus that was filed on July 13, 2026, which requests that the Court extend Respondents' deadline to reply to Petitioners' Writ by an additional three days, to July 16, 2026. *See* Respondents' Ex Parte Application for Extension of Time to File Answer, Dkt. 17. Petitioners are unaccompanied children ("UC") currently detained by Respondents in ORR-subcontracted facilities throughout Southern California. Petitioners have been detained by Respondents for lengths of time spanning from 7 months to over one year. *See* Declaration of Cynthia Felix ISO Opposition to Ex Parte Extension of Time at ¶ 3 ("Felix Decl."). This is so despite ORR's mandate to "promptly place[] [UCs] in the least restrictive setting that is in the best interest of the child" by identifying and vetting sponsors for Petitioners.¹ 8 U.S.C. § 1232(c)(2)(A). But instead of working towards releasing these children to their close family sponsors, Respondents have refused to properly progress through and adjudicate Petitioners' sponsorship applications. Given the severity of the deprivation and the irreparable harm Respondents continue to inflict upon Petitioners, the Court should not reward the Government's delay with an extension of time to respond to Petitioners' writ of habeas corpus.

This Court's order was clear: "Respondent shall file an answer to the habeas petition no later than 7 days from the date the Clerk's Office issues [The Notice of General Order 26-05 and Briefing Schedule]." *See* Notice of General Order 26-05 and Briefing Schedule, Dkt. 7. Seven days from the filing of this notice was July 12, 2026, but because the deadline fell on a weekend, the deadline is "the next business day on which the court is open." *Id.* Respondents' Answer is due, by the most generous reading, on July 13, 2026. Respondents waited five days before notifying Petitioner's counsel on the evening of Friday, July 10 of their request for an extension and before filing their Ex

¹ In 2024, the average number of days UCs spent in ORR custody was 30 days. In 2025, that number grew to 117 days. *See* <https://acf.gov/orr/about/ucs/facts-and-data> (last visited July 13, 2026).

1 Parte Application to extend time to file their answer. *See* Felix Decl. at ¶ 2; Dkt. 17.

2 Nor have Respondents identified any genuinely unforeseen circumstance that
 3 prevented compliance with the Court's deadline. Respondents were aware of the Court's
 4 briefing schedule when it was entered and had nearly a full week to prepare their
 5 response. Yet Respondents waited until the eve of the deadline to seek relief from the
 6 schedule established by the Court. Because Respondents have not shown good cause to
 7 modify the Court's schedule, and given the nature of the case—where Petitioners are
 8 seeking habeas relief because they are unaccompanied children who are unnecessarily
 9 being held in detention—Petitioners respectfully request that the Court deny the
 10 Government's request for an extension.²

11
 12
 13 Respectfully submitted on July 13, 2026.

14
 15 /s/ Lazaro Almeida Pacheco

16 Lazaro Almeida Pacheco

17 *Pro Bono* Attorney for Petitioners

18 Lazaro Almeida Pacheco (CA SBN 358179)

19 *LPacheco@immdef.org*

20 Emily Gerber Sugarman (CA SBN 339353)

21 *ESugarman@immdef.org*

22 Immigrant Defenders Law Center

23 634 S. Spring St., 10th Floor

24 Los Angeles, CA 90014

25
 26
 27 ² Given Respondents' July 13, 2026 deadline to respond, as well as Petitioner's
 28 substantial interest in the prompt adjudication of his habeas petition, Petitioner
 respectfully requests that any extension, if one were to be granted, be limited to no more
 than twenty-four hours from the date of the Court's order on Respondents' motion.

1 LAZARO ALMEIDA PACHECO (CA SBN 358179)

2 *lpacheco@immdef.org*

3 EMILY GERBER SUGARMAN (CA SBN 339353)

4 *esugarman@immdef.org*

5 IMMIGRANT DEFENDERS LAW CENTER

6 634 S. Spring St., 10th Fl.

7 Los Angeles, CA 90014

8 Telephone: (213) 438-9014

9 Facsimile: (213) 282-3133

10 *Attorneys for Petitioner*

11
12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**
14 **EASTERN DIVISION**

15 E.R.F., et al.,

16 Petitioners,

17 v.

18 ANGIE SALAZAR, et al.,

19 Respondents.

Case No. 5:26-cv-03705-WLH-DSR

**DECLARATION OF CYNTHIA
ISABEL FELIX IN SUPPORT OF
PETITIONER'S OPPOSITION TO
RESPONDENTS' MOTION TO
EXTEND TIME TO RESPOND TO
COMPLAINT AND PETITION FOR
WRIT OF HABEAS CORPUS**

20
21
22
23
24
25
26
27
28
**DECLARATION OF CYNTHIA ISABEL FELIX IN SUPPORT OF PETITIONER'S
OPPOSITION TO RESPONDENTS' MOTION TO EXTEND TIME TO RESPOND TO
COMPLAINT AND PETITION FOR WRIT OF HABEAS CORPUS**

DECLARATION OF CYNTHIA FELIX

I, Cynthia Felix, declare as follows:

1. My name is Cynthia Felix. I am a Directing Attorney at Immigrant Defenders Law Center (“ImmDef”), where I have been employed for almost nine years. I oversee ImmDef’s Detained Youth Empowerment Project (“DYEP”) team, which provides legal services in the form of Know Your Rights Presentations, Legal Screenings, and Wellness Checks to Unaccompanied Children (“UCs”) detained in the custody of the Office of Refugee Resettlement (“ORR”). I make this declaration based on my personal knowledge gained through my personal contact with UCs, including Petitioners, a review of ORR records, and in the supervision of my team.

2. On July 10, 2026, I was contacted by AUSA Najah J. Shariff (“Ms. Shariff”) at approximately 7:10 PM. Ms. Shariff explained the reason for her call was to inquire if my office was amenable to an extension for her office to file an Answer in response to the pending habeas petition filed on behalf of 4 UC detained by ORR.

3. I explained to Ms. Shariff that I would not agree to an extension on behalf of the detained children who have now remained in ORR custody for approximately seven months to one year despite the availability of biological sponsors willing and able to care for them. After months of continued detention and separation from family, Petitioners should not be subjected to further delay while Respondents continue to postpone resolution of their reunification cases. I further shared with Ms. Shariff that one of the petitioners, E.R.F. was just released that same day, Friday, July 10, 2026.

1 4. On July 2, 2026, our office provided the AUSA with notice of the
2 forthcoming petitions, as well as courtesy copies, full names and alien numbers
3 (“A numbers”) of the children once the petitions were filed to facilitate their timely
4 response.
5

6 5. General Order 26-05 was adopted to facilitate the expeditious resolution of
7 immigration habeas petitions and establishes an accelerated briefing schedule
8 reflecting the urgent nature of these proceedings. Extending Respondents’ deadline
9 to answer until July 16 would necessarily undercut the expedited schedule
10 contemplated by the General Order, particularly where the requested extension
11 reaches the deadline that triggers Petitioner's already-compressed reply period. Due
12 Process, furthermore, requires that these children be released from custody
13 immediately.
14

15 I declare under penalty of perjury under the laws of the United States of America
16 that the foregoing is true and correct.

17
18 Dated: July 13, 2026

By: /s/ Cynthia Felix

Cynthia Felix

Pro Bono Attorney for Petitioners
19
20
21
22
23
24
25
26
27
28

DECLARATION OF CYNTHIA ISABEL FELIX IN SUPPORT OF PETITIONER’S
OPPOSITION TO RESPONDENTS’ MOTION TO EXTEND TIME TO RESPOND TO
COMPLAINT AND PETITION FOR WRIT OF HABEAS CORPUS