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UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

EASTERN DIVISION

Y.D.D.L.C., *a minor, by and through Erica Santamaria as Guardian Ad Litem*,

Petitioner,

v.

ANGIE SALAZAR, ET AL,

Respondents.

Case No. 5:26-cv-3710-JWH-RAO

RESPONDENTS' STATUS REPORT

Honorable John W. Holcomb
United States District Judge

The minor Petitioner in this matter, Y.D.D.L.C., is an unaccompanied alien child ("UAC"), as defined at 6 U.S.C. § 279(g)(2), who was referred into the care and custody of the Office of Refugee Resettlement ("ORR") and placed in an ORR care provider facility on September 22, 2025. On July 3, 2026, Petitioner filed a petition for writ of habeas corpus. Dkt. 1. On July 17, 2026, Respondents filed an answer. Dkt. 14. On August 3, 2026, the Court entered an order requiring a status report "regarding the status of the final sponsor suitability determination described in the Answer." Dkt. 17.

On July 23, 2026, Petitioner was reunified (released) to Petitioner's individual sponsor. Ex. 1. Accordingly, the Petition is moot and should be denied.

Based on the express relief pled in the habeas petition, there is no further relief the Court can provide as to Y.D.D.L.C. *See* 28 U.S.C. § 2241(c). Petitioner Y.D.D.L.C. cannot claim a concrete fear of re-detention, especially when ORR is not an arresting agency and has no legal ability to re-detain him without a referral from another federal agency. *See, e.g., City of Los Angeles v. Lyons*, 461 U.S. 95, 102 (1983). That is particularly true given that Y.D.D.L.C. has already been released to her sponsor. Accordingly, the habeas petition should be denied as moot as to Y.D.D.L.C. *See, e.g., J.E.C.M. by and Through His Next Friend Saravia v. Lloyd*, 352 F. Supp. 3d 559, 578 (E.D. Va. 2018) ("Here, the three minor plaintiffs who have been released and the three sponsors to whom they have been released received the relief they sought in this litigation; they no longer possess the requisite stake to press their individual claims.").

"A case becomes moot when interim relief or events have deprived the court of the ability to redress the party's injuries." *United States v. Alder Creek Water Co.*, 823 F.2d 343, 345 (9th Cir. 1987) *see also NASD Disp. Resol., Inc. v. Jud. Council*, 488 F.3d 1065, 1068 (9th Cir. 2007) (finding the appeal to be moot when the plaintiffs were already granted the relief that they sought). Further, a court has an obligation to consider mootness *sua sponte*, and it should deny the requested relief when it is superfluous. *See In re Burrell*, 415 F.3d 994, 997 (9th Cir. 2005).

ORR only has the authority to accept children in its custody upon (a) a

determination from another federal agency that the child is a UAC; and (b) upon a referral from such agency. *See* 8 U.S.C. § 1232(b)(3). Section 1232 states, in relevant part, "any department or agency of the Federal Government that has an unaccompanied alien child in custody shall transfer the custody of such child to the Secretary of Health and Human Services not later than 72 hours after determining that such child is an unaccompanied alien child." *See id.* Generally, ORR does not have the authority to reassume custody of a UAC once that child is released into the community to a sponsor. *See id.* Thus, in this case, ORR does not have the authority to reassume custody of Y.D.D.L.C. without a referral from another federal agency, and ORR has no intention, presently or in the future, to reassume custody of her from her family. Even if the Court could assume that some law enforcement agency could detain Y.D.D.L.C. for some reason and then transfer her back to ORR custody, ORR would then perform a *de novo* consideration of whether the minor should be released. *Id.*

This Court can also apply the doctrine of voluntary cessation to find this habeas petition as moot. Voluntary cessation of alleged misconduct moots a case only if (1) there is "no reasonable expectation that the alleged violation will recur," and (2) "interim relief or events have completely and irrevocably eradicated the effects of the alleged violation." *Am. Cargo Transp., Inc. v. United States*, 625 F.3d 1176, 1179 (9th Cir. 2010) (alterations removed) (quoting *County of Los Angeles v. Davis*, 440 U.S. 625, 631 (1979)). Here, as explained above, the Court can find that it is "absolutely clear" the challenged conduct will not recur to Y.D.D.L.C. again. *see J.E.C.M. by and Through His Next Friend Saravia v. Lloyd*, 352 F. Supp. 3d 559, 578 (E.D. Va. 2018) ("Here, the three minor plaintiffs who have been released and the three sponsors to whom they have been released received the relief they sought in this litigation; they no longer possess the requisite stake to press their individual claims.").

Y.D.D.L.C.'s release from custody of ORR moots the requested habeas petition and voluntary cessation applies to the specific facts of her case. *See* 28 U.S.C. § 2241(c) ("The writ of habeas corpus shall not extend to a prisoner unless [h]e is in custody."); *see*

also Pinson v. Carvajal, 69 F.4th 1059, 1077 (9th Cir. 2023) ("Because [petitioner's] claims lie outside the historic core of habeas corpus, we conclude the district court properly found it lacked jurisdiction to hear [the] petition."). This Court should find sufficient assurance that ORR will not and cannot without a legal basis, place Y.D.D.L.C. back into their custody in the future.

The Court is asked to routinely consider mootness in the habeas context for non-citizens who have been released from immigration detention at Adelanto. *See, e.g.*, *Ghebreslassie v. Janecka*, No. 5:25-cv-03447-JWH, 2026 WL 220898, at *2 (C.D. Cal. Jan. 22, 2026) (denying a preliminary injunction where the Petitioner had been released from detention and issued an order to show cause regarding the dismissal of the petition); *see also C.S.M. v. Hernandez et al.*, Case No. 5:26-cv-01144-JWH-ACCV Case No. 5:26-cv-01144-JWH-ACCV (C.D. Cal. May 13, 2026), Dkt. 27 (magistrate judge's recommendation that the Petitioner's detention violated procedural due process and recommending that, notwithstanding the minor C.S.M.'s release pursuant to the Court's order upon an *ex parte* TRO application, the District Judge enter an order granting the habeas petition and order that she not be re-detained without ensuring compliance with her due process rights and federal regulations). Unlike the typical habeas case, Y.D.D.L.C. was not released pursuant to court order. Rather, ORR diligently followed its own suitability determination process, concluding that it was safe to release Y.D.D.L.C. to her sponsor. Moreover, in the context of the typical habaes case, the Respondent is a law enforcement agency (specifically ICE) that has the ability to effectuate arrests. Here, by contrast, that arrest capacity is also absent with respect to the Respondent, ORR. There is no non-speculative habeas claim.

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Accordingly, the Court should deny the habeas petition as moot as to Y.D.D.L.C.

Dated: August 31, 2026

Respectfully submitted,

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