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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION

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

Petitioner,

v.

RUBY HERNANDEZ, Federal Field Specialist, Office of Refugee Resettlement; NIKY HYMEL, Federal Field Specialist Supervisor, Office of Refugee Resettlement; ALEX J. ADAMS, Assistant Secretary of the Administration of Children and Families; ANGIE SALAZAR, Acting Director of the Office of Refugee Resettlement; and ROBERT F. KENNEDY, Secretary of the U.S. Department of Health and Human Services,

Respondents.

Case No. 5:26-CV-03710

Hon. John W. Holcomb
United States District Judge

Hon. Rozella A. Oliver
United States Magistrate Judge

PETITIONER'S MOTION TO STRIKE RESPONDENTS' IMPROPER STATUS REPORTS (DKTS. 18, 19), OR ALTERNATIVELY, REQUEST THAT THE COURT DISREGARD RESPONDENTS' IMPROPER SUPPLEMENTAL MERITS BRIEFING

[Supplemental Declaration of Caitlin Jolley filed concurrently herewith]

Petitioner, Y.D.D.L.C., by and through her counsel respectfully moves this Court to strike Respondents' improper merits briefing contained in Docket Nos. 18 and 19 or, alternatively, requests that the Court disregard those filings to the extent they exceed the scope of the Court's Order issued August 3, 2026.

ARGUMENT

I. THE COURT ORDERED A STATUS REPORT, NOT SUPPLEMENTAL MERITS BRIEFING.

On August 3, 2026, the Court entered a narrow order directing Respondents to: "file a status report by August 31, 2026, regarding the status of the final sponsor suitability determination described in the Answer." Dkt. 17.

The Court did not request supplemental briefing, invite additional argument, reopen merits briefing, or request briefing regarding mootness. The Court requested a status report specifically regarding the final sponsor suitability determination described in Respondents' Answer. *Id.*

Pursuant to General Order 26-05, this matter was deemed submitted for "final disposition upon filing of [Petitioner's] reply" on July 20, 2026. C.D. Cal. Gen. Ord. 26-05 § 2; *see also* Dkt. 16. Petitioner expressly advised the Court of that fact in her Reply. Dkt. 16 at 31. No order thereafter reopened merits briefing.

II. RESPONDENTS STATUS REPORT (DKT. 18) EXCEEDS THE SCOPE OF THE COURT'S ORDER

The Court ordered a status report regarding the sponsor suitability determination. Dkt. 17. Only two statements in Respondent's Status Report arguably respond to that directive: (1) "[o]n July 23, 2026, Petitioner was reunified (released)

to Petitioner's individual sponsor" and (2) "ORR diligently followed its own suitability determination process, concluding that it was safe to release Y.D.D.L.C. to her sponsor." Dkt. 18 at 2,4. Everything else in Respondents' Status Report is improper merits briefing. *See generally* Dkt. 18.

Rather than reporting the status of the sponsor suitability determination, as ordered by this Court, Respondents devote their filing to arguing that the Petition is moot, should be denied, that voluntary cessation applies, that declaratory relief is unavailable, that Petitioner lacks standing to seek future relief, that ORR cannot re-detain Petitioner, and various other merits and jurisdictional issues. Dkt. 18. Respondents arguments are wholly improper as they go far beyond the Court's narrow order.

Any merits arguments could and should have been raised in Respondents' Answer or in a properly authorized supplemental brief if the Court had requested one. They were not. Respondents may not use a Court-ordered status report as a vehicle for supplemental merits briefing after the matter has already been deemed submitted.

Additionally, Respondents provide no evidence whatsoever regarding the final sponsor suitability determination beyond the conclusory statement that ORR allegedly completed the process and found release appropriate.[1] Dkt. 18. Respondents do not attach the determination, identify when it issued, identify who issued it, or otherwise provide the information the Court actually requested. Respondents do not even identify to which sponsor Petitioner was released.

[1] Respondents' Status Report erroneously cites to Exhibit 1 in support of their assertion that "[o]n July 23, 2026, Petitioner was reunified (released) to Petitioner's individual sponsor. Ex. 1." However, no exhibits were filed in support of this status report. Petitioner does not dispute that she was released to sponsor E.R.M. on July 23, 2026.

Because Respondents Status Report exceeds the scope of the Court's order, Petitioner respectfully request that the Court strike anything in the report beyond the two sentences identified above that comply with the Court's order.

III. THE COURT SHOULD STRIKE RESPONDENTS' SUPPLEMENTAL STATUS REPORT (DKT. 19) IN ITS ENTIRETY.

Respondents' Supplemental Status Report is improper. The Court authorized one status report. Dkt. 17. Respondents filed that status report on August 31, 2026. Dkt. 18. Then, without leave of Court and without any order authorizing additional briefing, Respondents filed a second "supplemental status report" on September 1, 2026. Dkt. 19. Concerningly, that filing contains no status update whatsoever.

Instead, Respondents' supplemental report is simply an additional merits submission attaching authority Respondents believe supports their mootness argument. Dkt. 19. It does not.[2] Respondents' filing is more unauthorized supplemental merits briefing.

Docket No. 19 was filed after Respondents already filed the status report ordered by the Court and after Respondents fully exhausted any authority granted by Docket No. 17. Permitting serial unauthorized supplemental merits briefing after a matter has already been submitted would prejudice Petitioner and undermine the expedited procedures established by General Order 26-05.

If Respondents wished to submit additional authority, they should have sought

[2] Respondents' newly submitted authority is inapposite in any event. The petitioner in *E.A.D.G. v. McNair*, No. 2:26-cv-07706-AS, had already turned eighteen years old and "aged out" of ORR custody, and the court's mootness analysis repeatedly relied on the conclusion that the petitioner could no longer be returned to ORR custody because ORR's jurisdiction had ended. Dkt. 19, Ex. A at 4-6. The court specifically reasoned that declaratory relief would not affect Respondents' future conduct because the petitioner had already been released and had "aged out" of ORR jurisdiction. *Id.* at 6. Y.D.D.L.C. is fifteen years old, remains a minor, remains subject to ORR jurisdiction for years to come, and therefore does not present the circumstances that drove the mootness analysis in *E.A.D.G.*

leave of Court. They did not. Therefore, the Court should strike Respondents' Supplemental Status Report in its entirety.

IV. ALTERNATIVELY THE COURT SHOULD DISREGARD THE IMPROPER BRIEFING.

Respondents exceed the scope of the Court-ordered status report and filed improper merits briefing. If the Court declines to strike the filings, Petitioner respectfully requests that the Court disregard all portions of Respondent's Status report except the status information regarding Petitioner's release and disregard Respondents' Supplemental Status Report in its entirety. Dkts. 18, 19.

Petitioner maintains that this matter was deemed submitted upon the filing of her reply pursuant to General Order 26-05. However, if the Court wishes to receive briefing regarding mootness, Petitioner respectfully requests that the Court establish an appropriate briefing schedule rather than permit one-sided supplemental merits briefing outside the scope of the Court's order.

CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that the Court strike Respondents' improper supplemental merits briefing contained in Docket Nos. 18 and 19, or alternatively disregard those filings to the extent they exceed the scope of the Court's August 3, 2026 Order.

Dated: September 1, 2026

Respectfully Submitted,

/s/Caitlin Jolley
Caitlin Jolley
Attorney for Petitioner