

1 Marjorie J. Menza (SBN 321512)  
mmenza@trialimpact.org  
2 Amy Xu (SBN 330707)  
axu@trialimpact.org  
3 Miranda S. Finestone (SBN 366181)  
mfinestone@trialimpact.org  
4 Joshua Z. Behrens (SBN 359126)  
jbehrens@trialimpact.org  
5 TRIAL IMPACT PROJECT  
523 West 6th Street, Suite 450  
6 Los Angeles, CA 90014  
Telephone: (213) 542-5241  
7 Facsimile: (888) 775-0898

8 *Attorneys for Petitioner*

9  
10 UNITED STATES DISTRICT COURT  
11 CENTRAL DISTRICT OF CALIFORNIA

12 E.A.D.G., a minor by and through  
13 Rebecca Popuch., as Next Friend  
14 of Minor,

15 Petitioner,

16 vs.

17 TROY MCNAIR, Residential Director of  
18 Rancho San Antonio; LILIANA  
19 RENTERIA, Federal Field Specialist,  
20 Office of Refugee Resettlement; NIKY  
21 HYMEL, Federal Field Specialist  
22 Supervisor, Office of Refugee  
23 Resettlement; ALEX J. ADAMS,  
24 Assistant Secretary of the Administration  
25 for Children and Families; ANGIE  
26 SALAZAR, Acting Director of the  
27 Office of Refugee Resettlement; and  
28 ROBERT F. KENNEDY, JR., Secretary  
of the U.S. Department of Health and  
Human Service,

Respondents.

Case No. 2:26-cv-07706

**PETITIONER'S APPLICATION TO  
PROCEED UNDER PSEUDONYM  
AND FILE PETITION FOR WRIT OF  
HABEAS CORPUS UNDER SEAL**

1 TO THE COURT, ALL PARTIES AND COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE that, pursuant to Local Civil Rule 79-5.2.2,  
3 Petitioner by and through his next friend Rebecca Popuch hereby submits this  
4 Application to Proceed Under Pseudonym and File Petition for Writ of Habeas  
5 Corpus Under Seal. Petitioner respectfully requests the Court permit him to file his  
6 habeas petition under seal and proceed under pseudonym to protect his privacy and  
7 safety as an unaccompanied immigrant child.

8 Petitioner's counsel has not yet had an opportunity to confer with counsel for  
9 Respondents because no such counsel has been identified at the time of filing this  
10 motion. The grounds for this application are set out in the accompanying  
11 memorandum.

12  
13 WHEREFORE, Petitioner respectfully requests that this application be  
14 granted.

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16  
17 Respectfully submitted,

18 /s/ Marjorie J. Menza

19 Marjorie J. Menza

20 Amy Xu

21 Miranda S. Finestone

22 Joshua Z. Behrens

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**MEMORANDUM IN SUPPORT OF PETITIONER'S APPLICATION  
TO PROCEED UNDER PSEUDONYM AND FILE PETITION FOR WRIT  
OF HABEAS CORPUS UNDER SEAL**

**I. INTRODUCTION**

Petitioner E.A.D.G. and his next friend Rebecca Popuch<sup>1</sup> apply to file Petitioner's petition for habeas corpus under seal and proceed under pseudonym. As an unaccompanied immigrant child, Petitioner's privacy concerns are paramount and this request serves to protect his sensitive information from public disclosure.<sup>2</sup>

**II. BACKGROUND**

Petitioner is an unaccompanied immigrant child ("UC") detained in the custody of the Office of Refugee Resettlement ("ORR"). Petitioner's mother is his ORR sponsor, and she has been working to have Petitioner released to her custody for the past four months. Petitioner's concurrently-filed petition of habeas corpus contains private and sensitive information such as his location of detention, his immigration status, and the facts of his sponsorship process. *See* Ex. A, Declaration of Marjorie J. Menza ¶ 3.

**III. PROCEEDING UNDER PSEUDONYM**

Under Fed. R. Civ. P. 5.2(a)(3), a minor's initials may be used in lieu of their legal name in federal court filings. And in the Ninth Circuit, parties may proceed under pseudonym where it "is necessary ... to protect a person from harassment, injury, ridicule or personal embarrassment." *United States v. Doe*, 655 F.2d 920, 922 n.1 (9th Cir. 1981). It is within the discretion of the district court to grant a party to proceed anonymously. *See Does I Thru XXIII v. Advanced Textile Corp.*, 214 F.3d 1058, 1068 (9th Cir. 2000). The key inquiry is whether "the party's need for

<sup>1</sup> Ms. Popuch is also concurrently-filing to be appointed as Petitioner's guardian ad litem.

<sup>2</sup> Under Fed. R. Civ. P. 5.2(c), dockets related to immigration detention may not be accessed remotely by non-parties but they may still be accessed by non-parties who go in-person to the courthouse.

1 anonymity outweighs prejudice to the opposing party and the public's interest in  
2 knowing the party's identity." *Id.*

3 *A. Petitioner's Substantial Privacy Interest*

4 Here, Petitioner's need, as a UC, for anonymity is significant. UCs are entitled  
5 to heightened privacy protections as enshrined in the ORR Foundational Rule that  
6 mandates ORR contractors "shall not disclose case file records or information about  
7 unaccompanied children, their sponsors, family, or household members to anyone for  
8 any purpose, except for purposes of program administration, without first providing  
9 advanced notice to ORR to allow ORR to ensure that disclosure of unaccompanied  
10 children's information is compatible with program goals and to ensure the safety and  
11 privacy of unaccompanied children." 45 C.F.R. § 410.1303(h)(4). ORR Policy 5.9  
12 dictates that ORR files "contain highly sensitive information about program  
13 participants and must be kept confidential and protected from unauthorized  
14 disclosure for privacy as well as safety reasons." ORR Unaccompanied Children  
15 Bureau Policy Guide, *5.9 Protecting the Privacy and Confidentiality of*  
16 *Unaccompanied Alien Children Information* (July 6, 2026),  
17 [https://acf.gov/orr/policy-guidance/unaccompanied-children-program-policy-guide-](https://acf.gov/orr/policy-guidance/unaccompanied-children-program-policy-guide-section-5)  
18 [section-5](https://acf.gov/orr/policy-guidance/unaccompanied-children-program-policy-guide-section-5). Even setting aside Petitioner's UC status, "[t]he Ninth Circuit has  
19 recognized that child plaintiffs are especially vulnerable," and often meet the  
20 standard to proceed anonymously. *Doe v. Roblox Corp.*, 602 F. Supp. 3d 1243, 1251  
21 n.1 (N.D. Cal. 2022) (granting minor's motion to proceed under pseudonym).

22 *B. Absence of Prejudice to Respondents*

23 There is no prejudice to Respondents as Respondents already know the true  
24 identity of Petitioner as well as Petitioner's sponsor. *See Al Otro Lado, Inc. v.*  
25 *Nielsen*, 2017 WL 6541446, at \*6 (S.D. Cal. Dec. 20, 2017) ("The Court finds no  
26 prejudice here because Defendants know the true identities of the Individual [UC]  
27 Plaintiffs."). As detailed in the concurrently-filed petition for habeas corpus,  
28 Petitioner and his sponsor (his mother) have already made themselves known to

1 Defendants through the ORR sponsorship process. Given “the Defendants know the  
2 [Petitioner]’s name[], they have the information they need to defend against the  
3 claims of [Petitioner]” and there is no prejudice. *Id.*

4 *C. Public Interest Weighs In Favor of Anonymity*

5 Furthermore, the public interest is not harmed by allowing Petitioner to  
6 proceed under pseudonym, and, in fact, the public interest is actually “best served by  
7 permitting [Petitioner] to use [a] pseudonym[.]” *Al Otro Lado*, 2017 WL 6541446,  
8 at \*7. Cases seeking to vindicate UCs’ constitutional due process rights are  
9 important, especially in a moment where the agency created to protect their interests  
10 is being weaponized against them. *See* National Center for Youth Law, *The*  
11 *Unraveling of ORR: A Quick and Calculated Undoing of a System Intended to*  
12 *Protect Children* (Sept. 2025), [https://youthlaw.org/wp-content/uploads/ncyl\\_the-](https://youthlaw.org/wp-content/uploads/ncyl_the-unraveling-of-orr_sept2025_final.pdf)  
13 [unraveling-of-orr\\_sept2025\\_final.pdf](https://youthlaw.org/wp-content/uploads/ncyl_the-unraveling-of-orr_sept2025_final.pdf). Forcing UCs to publicize their identity or  
14 information which could lead to the revelation of their identity when litigating a  
15 violation of their rights may “chill the willingness of a party from bringing  
16 constitutional and statutory challenges.” *Al Otro Lado*, 2017 WL 6541446, at \*7.  
17 And “[a]lthough the public has an interest in open judicial proceedings, ‘[p]arty  
18 anonymity does not obstruct the public’s view of the issues joined or the court’s  
19 performance in resolving them.’” *Id.* at \*8 (quoting *Doe v. Stegall*, 653 F.2d 180,  
20 186 (5th Cir. 1981)). Thus, in light of Petitioner’s weighty privacy interest, the fact  
21 that Defendants suffer no prejudice, and that the public interest not harmed,  
22 Petitioner requests to proceed under pseudonym.

23 *D. Referring to Petitioner’s Mother by Initial Protects Petitioner’s Privacy*  
24 *Interest*

25 Relatedly, Petitioner seeks to refer to his mother and sponsor by her initials in  
26 his petition for habeas corpus. This is because “[a] parent’s identity, ‘if disclosed,  
27 could jeopardize the child’s confidentiality.’” *J.W. v. D.C.*, 318 F.R.D. 196, 199  
28 (D.D.C. 2016) (quoting *P.M. v. Evans–Brant Cent. Sch. Dist.*, 2012 WL 42248, at \*3

(W.D.N.Y. Jan. 9, 2012)). Respondents cannot claim prejudice because they already know Petitioner's mother's identity through the ORR sponsorship process. Therefore, given the sensitivity of protecting Petitioner's identity from public disclosure as discussed *supra* and the fact that there is no prejudice to Respondents, Petitioner requests to refer to his mother by her initials.

#### **IV. SEALING PETITION FOR WRIT OF HABEAS CORPUS**

Petitioner also requests to file his petition for habeas corpus under seal. In the Ninth Circuit, merit filings need to meet the "compelling reasons" standard to overcome the presumption of public access to court records. *Ctr. for Auto Safety v. Chrysler Grp.*, 809 F.3d 1092, 1096 (9th Cir. 2016). Courts commonly find that filings revealing sensitive information about minors meets the compelling reasons standard. *See, e.g., J.M. v. Oakland Unified Sch. Dist.*, 2018 WL 6574190, at \*8 (N.D. Cal. Dec. 13, 2018); *Doe v. Cnty. of Sacramento*, 2025 WL 2444255, at \*1 (E.D. Cal. Aug. 25, 2025); *Carmel Unified Sch. Dist. v. Hodges*, 2023 WL 9102072, at \*2 (N.D. Cal. Dec. 21, 2003). Courts in this district routinely grant motions to seal habeas petitions pertaining to UC petitioners. *See, e.g., G.M.M. v. Beltran*, 5:26-cv-00085-SVW-PVC, Dkt. No. 7 (Jan. 12, 2026); *O.J.R.A. v. Hernandez*, 2:26-cv-00482-AB-PD, Dkt. No. 6 (Jan. 21, 2026). Here, Petitioner's habeas petition contains sensitive information, as discussed above, that meets the compelling reasons standard for sealing, including the location of his detention, details about his immigration status and ORR sponsorship process, and information gathered from his ORR records including health information.

#### **V. CONCLUSION**

For the aforementioned reasons, Petitioner respectfully moves to proceed under pseudonym and file his habeas petition under seal.

1 Dated: July 16, 2026

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By: /s/ Marjorie J. Menza

Marjorie J. Menza

Amy Xu

Miranda S. Finestone

Joshua Z. Behrens