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10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA
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13 E.A.D.G., a minor by and through
Rebecca Popuch, as Next Friend of
14 Minor,

15 Petitioner,

16 vs.

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

24 Respondents.
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Case No. 2:26-cv-07706-AS

**PETITIONER'S SUPPLEMENTAL
BRIEF ON DECLARATORY RELIEF
PURSUANT TO ECF 28**

Hon. Alka Sagar
United States Magistrate Judge

1 Pursuant to the Court's order issued during the status conference on August 14,
2 2026, Petitioner respectfully submits the following supplemental briefing regarding
3 whether a court may grant declaratory relief in an action for habeas corpus.

4 On July 17, 2026, Petitioner filed a Petition for Habeas Corpus, under 28 U.S.C.
5 2241 (habeas corpus); 28 U.S.C. 1651 (All Writs Act); 28 U.S.C. 2201 (Declaratory
6 Judgment Act); and 28 U.S.C. 1361 (writ of mandamus); as well as 28 U.S.C. 1331
7 (federal question). ECF 1, Verified Petition for Writ of Habeas Corpus, at 3–4.¹ In
8 that petition, Petitioner sought “an order from this Court requiring ORR to
9 immediately release Petitioner E.A.D.G. to his mother's care and declare the
10 prolonged detention an unlawful violation of his statutory and Constitutional rights.”
11 *Id.* at 3. In addition to seeking an order compelling the release of Petitioner to his
12 mother, Petitioner also sought a declaration from this court that Petitioner's
13 constitutional rights and statutory rights had been violated. *Id.* at 31 (“Prayer for
14 Relief”).

15 On August 10, 2026, this Court ordered counsel of record to appear at a status
16 conference set for August 14, 2026. ECF 25. On August 11, 2026, this Court also
17 directed counsel for Respondents “to have a representative from the Office of Refugee
18 Resettlement who is familiar with this case and the status of the sponsorship
19 application filed by H.Y.G.I and A.C.G. appear at the status conference.” ECF 26. At
20 the August 14, 2026 status conference, this Court ordered the Parties to brief whether
21 declaratory relief is properly within the scope of a petition for habeas corpus. *See* ECF
22 28. The short answer is, Yes. A district court may properly grant declaratory relief in
23 an action for habeas relief, including with respect to immigration related petitions for
24 habeas corpus. *See Carafas v. LaVallee*, 391 U.S. 234, 239 (1968) (“[T]he statute does
25 not limit the relief that may be granted to discharge of the applicant from physical
26 custody. Its mandate is broad with respect to the relief that may be granted.”); Brian
27

28 ¹ Page references are to the document pagination.

1 R. Mean, Federal Habeas Manual § 13:20 (2019) (discussing general availability of
2 declaratory and injunctive relief in habeas actions); *see also, e.g., Rodriguez v. Hayes*,
3 591 F.3d 1105, 1111–12, 1119–20 (9th Cir. 2010) (reversing district court’s denial of
4 certification of habeas class seeking injunctive and declaratory relief and concluding
5 immigration statute did not bar class from obtaining injunctive or declaratory relief in
6 habeas proceedings).

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8 Dated: August 20, 2026

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10 By: /s/ Miranda S. Finestone

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