

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No: 1:25-cv-2712

JOHN DOE,

Petitioner-Plaintiff,

v.

PAM BONDI, U.S. Attorney General; SIRCE E. OWEN, Director, Executive Office for Immigration Review; KRISTI NOEM, Secretary, United States Department of Homeland Security; TODD M. LYONS, Director, U.S. Immigration and Customs Enforcement; ROBERT GUADIAN, Denver Field Office Director, U.S. Immigration and Customs Enforcement; DAWN CEJA, Warden of Denver Contract Detention Facility,

Respondents-Defendants.

MOTION FOR LEAVE TO FILE UNDER PSEUDONYM

INTRODUCTION

1. Petitioner-Plaintiff, John Doe, respectfully requests leave to file under pseudonym in this matter, based on the serious risk of retaliatory harm to himself and his family members that could result from the public disclosure of his name.

2. Petitioner is an asylum seeker [REDACTED] who fled to the United States in January 2025 after [REDACTED]

[REDACTED] After presenting himself at a port of entry in January, Petitioner was allowed to enter the United States for the purpose of seeking asylum, withholding of removal, and protection under the Convention Against Torture. For the past seven months, he has been detained in an immigration jail as he pursues his asylum case, which has faced significant delays due to the immigration court's backlog and current practice of double and triple booking morning and afternoon dockets. He brings the attached habeas petition and complaint for declaratory and injunctive relief to end his unconstitutional detention for more than seven months during which he has never received a bond hearing to determine whether he is a danger or a flight risk. He seeks to proceed under pseudonym in filings before this Court to prevent retaliation from the Nicaraguan government [REDACTED]

[REDACTED]

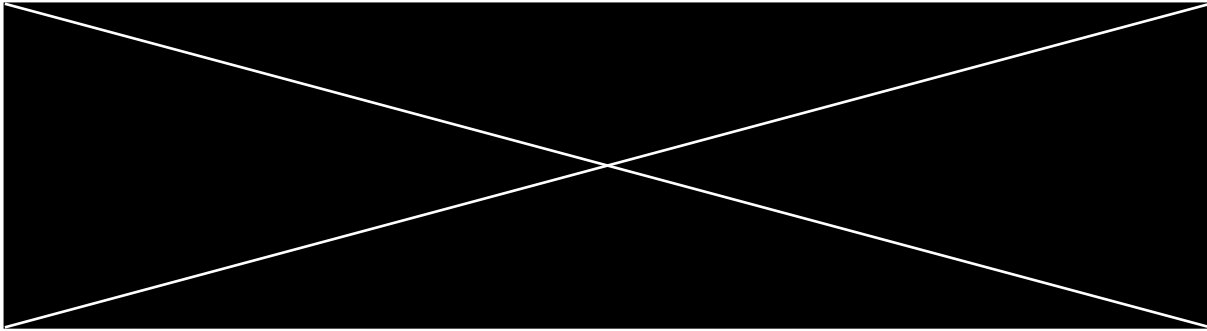
ARGUMENT

3. Pseudonymous filings are appropriate where a case involves "matters of a highly sensitive and personal nature, real danger of physical harm, or where the injury litigated against would be incurred as a result of the disclosure of the plaintiff's identity." *M.M. v. Zavaras*, 139 F.3d 798,

803 (10th Cir. 1998) (citing *Doe v. Frank*, 951 F.2d 320, 324 (11th Cir. 1992)). In determining whether anonymity is warranted, the Court weighs the movant's privacy interest against the public's interest in open proceedings. *See id.* at 802-803 (observing that the decision to grant anonymity involves the "weighing of a privacy issue against the public interest"); *see also Does I – II v. Bd. of Regents of Univ. of Colorado*, No. 21- CV-2637, 2022 WL 43897 at *3-4 (D. Colo. Jan. 5, 2022). The decision to allow a party to proceed anonymously falls within the Court's "informed discretion, after taking all relevant factors into consideration." *Luo v. Wang*, 71 F.4th 1289, 1296 (10th Cir. 2023) (citing *Zavaras*, 139 F.3d at 803).

7. "Numerous courts have recognized the unique vulnerabilities of asylum seekers and allowed them to proceed pseudonymously as a result." *Doe v. U.S. Immigr. & Customs Enf't*, No. 1:23-CV-00971-MLG-JMR, 2024 WL 4389461, at *2 (D.N.M. Oct. 3, 2024) (collecting cases); *D.B.U. v. Trump*, No. 1:25-CV-01163-CNS, 2025 WL 1101149, at *1 (D. Colo. Apr. 14, 2025) (same); *AsylumWorks v. Wolf*, 1:20-cv-03815, 2020 WL 13460835, (D.D.C. Dec. 23, 2020) (permitting plaintiffs to proceed pseudonymously because the record that they sought asylum could endanger them in their country of origin). This is further supported by the U.S. government's recognition of the need to protect the privacy of asylum applicants by enacting heightened confidentiality protections for asylum applicants. 8 C.F.R. § 208.6 (providing that information contained in an asylum application and any other records that indicate that a specific individual has applied for asylum shall not be disclosed without written consent from the applicant).

8. Petitioner, an asylum seeker, has a strong privacy interest in not being forced to reveal the highly personal and sensitive facts of his underlying asylum claim, which is discussed in his habeas petition. Furthermore, Petitioner faces a serious risk of retaliatory harm for him and



This on its own should be sufficient for this Court to grant the motion.

9. Additionally, Respondents will not suffer prejudice if the Court allows Petitioner to proceed under a pseudonym. In his asylum application and ongoing removal proceedings, Petitioner has already disclosed his identity to the Aurora Immigration Court and the U.S. Department of Homeland Security and provided other identity documents. Thus, the government has full access to information about the identity of Mr. Doe. Petitioner is also fully willing to disclose his identity to government counsel who appear in this case (and this Court), as needed. He asks only to keep his identities private from the public for his safety.

10. In addition, the primary focus of this lawsuit is purely procedural: it challenges Petitioner's unconstitutionally prolonged incarceration for more than seven months without a bond hearing to determine whether he is a danger or a flight risk. The specifics of Petitioner's identity, therefore, is not critical to this case. As other courts have found, where the plaintiff's identity is not itself a material fact in the lawsuit, allowing a plaintiff to proceed anonymously causes no prejudice. *See Sealed Plaintiff v. Sealed Defendant #1*, 537 F.3d 185, 190 (2d. Cir. 2008) (citing *Doe v. Del Rio*, 241 F.R.D. 2d 154, 157 (S.D.N.Y. 2006) ("[B]ecause of the purely legal nature of the issues presented or otherwise, there is an atypically weak public interest in knowing the litigant's identities."); *Doe v. Barrow Cty.*, 219 F.R.D. 189, 194 (N.D. Ga. 2003) (granting a

motion to proceed under a pseudonym where the “plaintiff plays a relatively minor role”).

7. Finally, where the defendant is either a government entity or official, courts routinely count the public interest factor as weighing in favor of leave to proceed under a pseudonym. *See, e.g., E.W. v. N.Y. Blood. Ctr.*, 213 F.R.D. 108, 111 (E.D.N.Y. 2003) (“[W]here a plaintiff attacks governmental activity...the plaintiff’s interest in proceeding anonymously is considered particularly strong.”). This is because the plaintiff “presumably represents a minority interest (and may be subject to stigmatization), and there is arguably a public interest in a vindication of his rights,” while “the government is viewed as having a less significant interest in protecting its reputation from damaging allegations than the ordinary individual defendant.” *Id.* The public interest therefore weighs in favor of allowing Petitioner to proceed using a pseudonym.

8. Petitioner’s privacy interest and safety concerns for himself and his family members far outweigh any interest in his name being disclosed. The disclosure of Petitioner’s name would publicize the sensitive and private information that he is an asylum seeker, would risk subjecting him to retaliatory harm if he were returned to Nicaragua, 



These unique safety concerns outweigh any public interest in Petitioner’s identity.

9. Petitioner therefore respectfully requests leave to file pseudonymously in this case.

Dated: August 29, 2025

/s/ Johnny Sinodis
Johnny Sinodis
Attorney for Petitioner