IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA
PITTSBURGH DIVISION

A.E.Q.C., a minor, by and through his Next Friend, [redacted]	
Petitioner,	Case No. 2:26-cv-01008-WSH
v.	
ROBERT F. KENNEDY, JR., in his official capacity as Secretary of Health and Human Services; ANGIE SALAZAR, in her official capacity as Director of the Office of Refugee Resettlement; MARJORIE VICTOR, in her official capacity as Federal Field Specialist, Office of Refugee Resettlement; and Michael Sexauer in his official capacity as CEO of Holy Family Institute (HFI); U.S. Department of Health and Human Services (HHS); U.S. Office of Refugee Resettlement (ORR); Holy Family Institute (HFI), Respondents.	

RESPONSE TO PETITION BY RESPONDENTS, MICHAEL SEXAUER AND HOLY FAMILY INSTITUTE

Respondents, Michael Sexauer and Holy Family Institute (hereinafter collectively "HFI"), by and through their attorneys, Post & Schell, P.C., in compliance with this Court's Case Management Order [ECF 2], hereby summarily respond[1] to the Petition for Writ of Habeas Corpus ("Petition") as follows:

[1] HFI reserves the right to respond paragraph-by-paragraph to the instant form Petition when properly re-pled. HFI is prejudiced by the improper Petition and its collectivized pleading of all actions and inactions by "Respondents" which denies notice to HFI and prevents an actual response to the prejudicial and improper form Petition. See,e.g. Comer v. American Transmission Systems, Inc., 2025 U.S. Dist. LEXIS 101694 (W.D. Pa., May 29, 2025) (an abusive and improper shotgun pleading contains claims against multiple parties without specifying which of the parties are individually responsible for which acts or omissions). In the meanwhile, HFI incorporates by reference any Response filed by the other Respondents.

A. HFI admits that it is an agency licensed by the Commonwealth of Pennsylvania and contracted to provide care for unaccompanied immigrant children pursuant to a *Cooperative Agreement Between U.S. Department of Health and Human Services, Administration For Children And Families (ACF), Office of Refugee Resettlement (ORR), Unaccompanied Alien Children Bureau (UACB) and Holy Family Institute* #90ZU0518 (9/16/25). See Petition at ¶13;

B. HFI admits that Michael Sexauer is the Chief Executive Officer ("CEO") of HFI, which operates the shelter where A.E.Q.C. is presently in custody. Mr. Sexauer is named as the direct custodian for purposes of the instant Petition. Mr. Sexauer is only sued in his official capacity as CEO of HFI. See Petition at ¶10;

C. HFI admits that Petitioner (A.E.Q.C.) is in the physical custody of HFI, detained at 1500 Woodcrest Avenue, Coraopolis, PA 15108. See Petition at ¶1;

D. HFI has not violated the constitutional substantive due process rights of A.E.Q.C.;

E. HFI has not violated the constitutional procedural due process rights of A.E.Q.C.;

F. HFI has not violated the Trafficking Victims Protection Reauthorization Act (TVPRA), 8 U.S.C. § 1232;

G. HFI has not violated the Foundational Rule, 45 C.F.R. §§ 410.1000 *et seq.* and/or the Accardi Doctrine;

H. HFI has not violated the Administrative Procedures Act (APA), 5 U.S.C. §§ 701 *et seq.*;

I. HFI is not a real party-in-interest to the legal dispute between Petitioner and the other Respondents.

J. HFI does not have the unilateral authority to discharge or release Petitioner (A.E.Q.C.) absent a court order.

K. HFI will comply with whatever continuing directive(s) it receives from the other Respondents with respect to the unaccompanied immigrant child (Petitioner A.E.Q.C.), unless otherwise ordered by this Court.

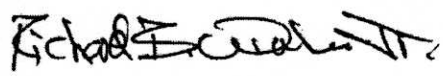
PRAYER FOR RELIEF

WHEREFORE, Respondents, Michael Sexauer and Holy Family Institute, respectfully request that no Writ of Habeas Corpus be issued, that no Order to Show Cause be entered against them, that no declaration of any constitutional rights violated by them is made, that no award of attorneys' fees of costs be awarded against them, and such other relief as this Court deems proper.

Respectfully submitted,

POST & SCHELL, P.C.

Dated: June 5, 2026

By: 

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{Pro Hac Application}

Respondents, Michael Sexauer
and Holy Family Institute

CERTIFICATE OF SERVICE

I do hereby certify that service of a true and correct copy of the foregoing document was electronically filed via the ECF System (which is available for public viewing and printing) and has been service via same this day upon all counsel of record.

POST & SCHELL, P.C.

Dated: June 5, 2026

By: _____

Richard B. Wickersham, Jr., Esquire