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Attorney for Petitioners

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN 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, JR. Secretary of the U.S. Department of Health and Human Services,

Respondents.

Case No. 5:26-CV-03710

PETITIONER'S OPPOSITION TO RESPONDENTS' EX PARTE FOR EXTENSION OF TIME

Honorable John W. Holcomb
United States District Judge

Honorable Rozella A. Oliver
United States Magistrate Judge

INTRODUCTION

Petitioner Y.D.D.L.C., respectfully opposes Respondents' request for a three-day extension of time to answer the Petition.

This case concerns a single fifteen-year-old child who has remained in Office of Refugee Resettlement ("ORR") custody for nearly 300 days despite the availability of both her biological mother and a close family friend willing to assume her care. ORR has issued no sponsor denial, no Sponsor Suitability Determination, or any other final reunification decision. Additional delay perpetuates the very harm challenged in this habeas action.

Respondents have not demonstrated good cause for modifying the expedited briefing schedule established by General Order 26-05. Instead, Respondents rely largely on generalized workload concerns arising from unrelated cases and factual assertions that do not apply to this Petition. ECF No. 11; Shariff Decl. ¶¶ 5-8. The application should therefore be denied

ARGUMENT

I. RESPONDENTS HAVE NOT SHOWN GOOD CAUSE AND RAISE FACTS NOT AT ISSUE IN THIS CASE

The entirety of Respondents' good-cause showing consists of assertions that government counsel is simultaneously handling three habeas matters involving multiple children and must coordinate with ORR personnel regarding those cases. *See generally*, ECF No. 11. But, the question before this Court is not whether Respondents have other cases. The question is whether Respondents have established good cause to delay answering *this* Petition.

This Petition involves a single child, Y.D.D.L.C. ECF No. 1. Respondents do not identify any unusual factual complexity in Petitioner's case, any newly discovered evidence, any emergency circumstance, or any event that prevented preparation of a timely answer.

Nor does this case present a novel or unusually complex legal issue. At its core, this Petition concerns a single minor child who challenges her continued detention after approximately 300 days in ORR custody. The central dispute is straightforward: whether Respondents may continue detaining Petitioner where ORR has neither approved nor denied a sponsor, issued a Sponsor Suitability Determination, nor rendered any final reunification decision, and two sponsors remain available to care for Petitioner. The legal claims arise under the TVPRA, the Fifth Amendment, and ORR's governing regulations—authorities with which Respondents are familiar and routinely litigate. Respondents identify no unique legal issue requiring additional time beyond the expedited schedule established by General Order 26-05. *See* General Order 26-05, *In re Immigration Habeas Petitions Under 28 U.S.C. § 2241*, at 1 (C.D. Cal. Apr. 1, 2026).

Instead, Respondents rely on generalized workload concerns applicable to other matters. ECF No. 11. These circumstances do not justify departure from the schedule adopted by this Court for immigration habeas proceedings. *See* General Order 26-05 at 3.

Moreover, Respondents' supporting declaration relies upon factual assertions that do not appear to relate to this case. Respondents assert that the "subject petition improperly names four separate children as petitioners." Shariff Decl. ¶ 6. That assertion is incorrect. The Petition before this Court concerns a single child,

Y.D.D.L.C., proceeding through a Guardian Ad Litem. In fact, during the parties' meet-and-confer process, undersigned counsel expressly advised Respondents that she represents only Petitioner Y.D.D.L.C. Jolley Decl. at ¶ 4, Ex. A. Respondents nevertheless continue to rely on the complexity of other cases involving multiple children as a basis for delaying their response in this case.

This Petition concerns a single unaccompanied minor child, Y.D.D.L.C. Accordingly, Respondents' own declaration raises questions regarding whether the grounds asserted in support of the requested extension are specific to this case. Therefore, Respondents have shown no good cause for granting additional time to answer.

II. THIS COURT ADOPTED GENERAL ORDER 26-05 SPECIFICALLY TO EXPEDITE HABEAS REVIEW OF IMMIGRATION DETENTION CASES.

General Order 26-05 ("GO 26-05") was adopted "to facilitate [the] expeditious resolution" of immigration habeas petitions. General Order 26-05 at 1. GO 26-05 establishes a seven-day deadline for respondents to answer and a three-day deadline for petitioner to reply. General Order 26-05 at 3. The expedited schedule is particularly important where, as here, the petitioner is a minor child challenging ongoing detention.

Respondents seek an extension at the close of business on the very day their answer is due. *See* ECF No. 11. Granting the requested relief would necessarily delay the resolution contemplated by GO 26-05 and compress the already abbreviated reply period afforded to Petitioner.

The Court created a specialized schedule for immigration habeas cases because these matters require prompt adjudication. Respondents have not shown any circumstances sufficient to justify deviation from that schedule.

III. ANY DELAY PREJUDICES PETITIONER

Unlike Respondents, Petitioner cannot recover the time lost through continued delay. Petitioner is a fifteen-year-old child who has now spent nearly 300 days in ORR custody. She remains separated from her biological mother despite her mother's continued availability to assume Petitioner's care because ORR has neither approved nor denied reunification. The prejudice resulting from further delay therefore falls entirely upon the detained child. Additional, time would result in additional harm to Petitioner.

Respondents also omit any discussion of the merits of Petitioner's detention. The application does not identify any sponsor decision or basis for Petitioner's continued detention for almost ten months after entering ORR custody. Instead, Respondents seek additional time without addressing the basis for continued detention at all. Under these circumstances, further delay is particularly unwarranted.

IV. CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that the Court deny Respondents' Ex Parte Application for Extension of Time.

Dated: July 13, 2026

Respectfully Submitted,

/s/Caitlin Jolley
Caitlin Jolley
Attorney for Petitioner

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Attorney for Petitioners

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
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RUBY HERNANDEZ, Federal Field Specialist, Office of Refugee Resettlement; NIKY HYMEL, Federal Field Specialist Supervisor, Office of Refugee Resettlement; ANDREW GRADISON, 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

DECLARATION OF CAITLIN JOLLEY IN SUPPORT OF PETITIONER'S OPPOSITION TO RESPONDENTS' EX PARTE FOR EXTENSION OF TIME

DECLARATION OF CAITLIN JOLLEY

I, Caitlin Jolley, declare as follows:

1. I am an attorney licensed to practice law in the State of California and counsel of record for Petitioner Y.D.D.L.C. in this matter. I am currently a Staff Attorney at Immigrant Defender's Law Center. I have personal knowledge of the matters stated herein and, if called as a witness, could and would competently testify thereto.

2. I submit this declaration in support of Petitioner's Opposition to Respondents' Ex Parte Application for Extension of Time.

3. On July 10, 2026, counsel for Respondents contacted counsel for Petitioner seeking consent to a three-day extension of time to respond to the Petition for Writ of Habeas Corpus.

4. During the parties' meet-and-confer process, I expressly advised Respondents' counsel that I represent only Petitioner Y.D.D.L.C. and do not represent the petitioners in the other habeas matters referenced in Respondents' application. A true and correct copy of the parties' email correspondence is attached hereto as **Exhibit A**.

5. I further advised Respondents' counsel that Petitioner Y.D.D.L.C. opposed any extension of the briefing schedule.

6. On July 10, 2026, Respondents' counsel informed me that Respondents intended to seek ex parte relief if consent was not provided.

7. On July 13, 2026, I again advised Respondents' counsel that Petitioner Y.D.D.L.C. opposed the requested extension.

8. Despite being advised during the meet-and-confer process that I represent only Petitioner Y.D.D.L.C., Respondents' application relies in part on circumstances involving other petitioners and other cases that are unrelated to Petitioner's matter.

9. At all relevant times, Respondents were aware that I represent only Petitioner Y.D.D.L.C. and was not authorized to speak on behalf of the petitioners in the other matters referenced in Respondents' application.

Dated: July 13, 2026

/s/ Caitlin Jolley
Caitlin Jolley
Attorney for Petitioner

EXHIBIT A

From: Caitlin Jolley
To: Shariff, Najah (USACAC)
Cc: Marquez, Christina (USACAC); Lazaro Almeida Pacheco; Emily Sugarman; Cynthia Felix
Subject: RE: Petition for Writ of Habeas Corpus-Re: Minors Detained by ORR - Request for Extension of Time to Respond
Date: Monday, July 13, 2026 9:01:55 AM
Attachments: image001.png
image002.png
image003.png
image004.png

Counsel,

I represent Petitioner Y.D.D.L.C. only.

As reflected in my prior correspondence, Petitioner opposes any extension of the briefing schedule. Accordingly, if Respondents file an ex parte application seeking additional time, Petitioner Y.D.D.L.C. intends to oppose that request.

Respectfully,

Caitlin

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From: Shariff, Najah (USACAC) <Najah.Shariff@usdoj.gov>
Sent: Friday, July 10, 2026 8:11 PM

To: Caitlin Jolley <CJolley@ImmDef.org>
Cc: Marquez, Christina (USACAC) <Christina.Marquez@usdoj.gov>; Lazaro Almeida Pacheco <LPacheco@ImmDef.org>; Emily Sugarman <ESugarman@ImmDef.org>; Cynthia Felix <Cynthia@ImmDef.org>
Subject: RE: Petition for Writ of Habeas Corpus-Re: Minors Detained by ORR - Request for Extension of Time to Respond

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Counsel,

Thank you for your email response below. This email serves as notice that we intend to file an Ex Parte Application for an extension on Monday July 13, pursuant to Local Rule 7-19. Please let me know if the Petitioners will oppose this Ex Parte Application as soon as possible.

We note that multiple petitioners have been consolidated into a single petition in contravention of the General Order. Additionally, we do not agree that a stipulation is required.

Thank you.

Najah J. Shariff | Assistant United States Attorney | Tax and Bankruptcy Section
United States Attorney's Office | Central District of California
300 North Los Angeles Street | Suite 7211 | Los Angeles, California 90012
T: 213.894.2534| F: 213.894.0115 | najah.shariff@usdoj.gov

From: Caitlin Jolley <CJolley@ImmDef.org>
Sent: Friday, July 10, 2026 7:29 PM
To: Shariff, Najah (USACAC) <Najah.Shariff@usdoj.gov>; Lazaro Almeida Pacheco <LPacheco@ImmDef.org>; Emily Sugarman <ESugarman@ImmDef.org>; Cynthia Felix <Cynthia@ImmDef.org>
Cc: Marquez, Christina (USACAC) <Christina.Marquez@usdoj.gov>
Subject: [EXTERNAL] RE: Petition for Writ of Habeas Corpus-Re: Minors Detained by ORR - Request for Extension of Time to Respond

Counsel,

Thank you for your email.

I represent Petitioner Y.D.D.L.C. only. Petitioner Y.D.D.L.C. does not consent to the requested extension.

Ordinarily, I would be amenable to a reasonable extension as a matter of professional courtesy. However, this case concerns the continued detention of an unaccompanied minor child who has now remained in ORR custody for nearly 300 days despite the availability of her biological mother to assume her care and despite the absence of a sponsor denial, sponsor suitability determination, or any other final reunification decision from Respondents.

General Order 26-05 was adopted to facilitate the expeditious resolution of immigration habeas petitions and establishes an accelerated briefing schedule reflecting the urgent nature of these proceedings. Extending Respondents' deadline to answer until July 16 would necessarily undercut the expedited schedule contemplated by the General Order, particularly where the requested extension reaches the deadline that triggers Petitioner's already-compressed reply period.

Accordingly, Petitioner Y.D.D.L.C. opposes any extension of the current briefing schedule.

If Respondents nevertheless seek modification of the schedule, please note Petitioner's opposition and intent to oppose the request. Consistent with Section 2 of General Order 26-05, I understand any request to extend the schedule would be presented through either a stipulation or a joint statement reflecting the parties' competing positions.

Respectfully,

Caitlin

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From: Shariff, Najah (USACAC) <Najah.Shariff@usdoj.gov>
Sent: Friday, July 10, 2026 6:42 PM
To: Lazaro Almeida Pacheco <LPacheco@ImmDef.org>; Emily Sugarman <ESugarman@ImmDef.org>; Cynthia Felix <Cynthia@ImmDef.org>; Caitlin Jolley <CJolley@ImmDef.org>
Cc: Marquez, Christina (USACAC) <Christina.Marquez@usdoj.gov>
Subject: Petition for Writ of Habeas Corpus-Re: Minors Detained by ORR - Request for Extension of Time to Respond
Importance: High

External email: Please be careful if sending personal information or when opening attachments or clicking on links

Counsel,

I am reaching out to you regarding the following three Habeas petitions involving minors being detained by the Office of Refugee Resettlement (ORR) that have been filed in U.S. District Court in the Central District of California:

1. E.R.F., et al v. Angie Salazar, Acting Director of the Office of Refugee Resettlement (ORR), et al, Respondents, Case No. 5:26-cv-3705;
2. B.E.C.L., et al v. Ruby Hernandez, Federal Field Specialist, ORR, et al, Case No. 2-26-cv-7272; and
3. Y.D.D.L.C., et al v. Ruby Hernandez, Federal Field Specialist, ORR, et al, Case No. 5:26-cv-3710.

My Office represents the Respondents in these three cases. Pursuant to the Notice of General Order 26-05 and briefing schedules, the answer/response in these cases are due on Monday July 13, 2026. Given the number of children involved in the Petitions and the complexity of their different cases and the various legal claims involved, my Office is seeking a three-day extension of time to file a response in each of the three cases until Thursday July 16, 2026. We are seeking an extension of time to file a response from July 13, 2026, to July 16, 2026.

Please let me know as soon as possible whether you would consent to an extension of time to file an answer/response from Monday July 13 to Thursday July 16, 2026. **A response is requested no later than by 12 noon (PST) on Monday July 13**. If so, we will provide you with a Stipulation to Extend the Time to respond.

Thank you in advance for your prompt attention and assistance in this regard.

Najah J. Shariff | Assistant United States Attorney | Tax and Bankruptcy Section
United States Attorney's Office | Central District of California
300 North Los Angeles Street | Suite 7211 | Los Angeles, California 90012
T: 213.894.2534| F: 213.894.0115 | najah.shariff@usdoj.gov

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