

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

ANGELICA S., *et al.*,

Plaintiffs,

v.

U.S. DEPARTMENT OF HEALTH AND
HUMAN SERVICES, *et al.*,

Defendants.

No. 1:25-cv-1405

**PLAINTIFFS’ MOTION FOR LEAVE TO FILE SUPPLEMENTAL MEMORANDUM OF
POINTS AND AUTHORITIES REGARDING PLAINTIFFS’ MOTION FOR
CLASS CERTIFICATION**

Pursuant to Federal Rule of Civil Procedure 7(b), Plaintiffs respectfully move for leave to file a supplemental brief regarding Plaintiffs’ Motion for Class Certification (ECF No. 9), to add Mateo N., Yair G., and David D. as additional proposed class representatives. Good cause exists to support this motion because Mateo N., Yair G., and David D., were newly added as named Plaintiffs in the First Amended Complaint (ECF No. 48), filed on August 15, 2025.

Mateo N., Yair G., and David D. remain detained because their sponsors cannot provide documents newly required by the Office of Refugee Resettlement (“ORR”) on or after March 7, 2025, and they seek to represent the same putative class as the original named Plaintiffs. *See* ECF 37-1, Amended Proposed Order Granting Plaintiffs’ Motion for Class Certification and Appointment of Class Counsel. Each of the newly added Plaintiffs entered ORR custody after April 22, 2025, and their inclusion as class representatives would address the typicality concerns discussed by the Court in its June 9, 2025, memorandum opinion granting provisional class certification and a preliminary injunction. ECF 35 at 21-22.

Plaintiffs' proposed supplemental brief and exhibits are attached as Attachment A. A proposed order is also attached.

Pursuant to Local Civil Rule 7(m), counsel for Plaintiffs conferred with counsel for Defendants on Tuesday, August 19, and again by email on August 21-22. Defendants, through their counsel, did not provide their position to this motion prior to its filing. Ex. 1, Correspondence of the Parties.

August 22, 2025

Respectfully submitted,

//s// Rebecca Ruth Wolozin

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CERTIFICATE OF SERVICE

I certify that on August 22, 2025, the foregoing was served via the Court's ECF system, which automatically caused an electronic copy to be sent to all counsel of record in this case.

/s/ Rebecca Wolozin

REBECCA RUTH WOLOZIN (D.C. Bar No. 144369)
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Exhibit 1

Correspondence of the Parties



Becky Wolozin <bwolozin@youthlaw.org>

Position on Plaintiffs' Motion for Leave to File Supplemental Memorandum re Class Certification

Becky Wolozin <bwolozin@youthlaw.org>

Fri, Aug 22, 2025 at 10:47 AM

To: "Silvis, William (CIV)" <William.Silvis@usdoj.gov>

Cc: "Parascandola, Christina (CIV)" <Christina.Parascandola@usdoj.gov>, Mishan Wroe <mwroe@youthlaw.org>, "McCroskey, Joshua C. (CIV)"

<Joshua.C.McCroskey@usdoj.gov>, "Delasalas, Dean (CIV)" <Dean.Delasalas@usdoj.gov>, Joel McElvain <jmcelvain@democracyforward.org>, Cynthia Liao <cliao@democracyforward.org>, Diane de Gramont <ddegmont@youthlaw.org>

Oh my apologies - I meant Leave to file a supplemental memorandum, we are not amending anything!

Best,
Becky

Becky Wolozin (she/her/ella)
Senior Attorney
Cell: (202) 964-0406

On Fri, Aug 22, 2025 at 10:45AM Silvis, William (CIV) <William.Silvis@usdoj.gov> wrote:

Hi Becky,

One clarification, what do you mean by "our Motion for Leave to Amend"? Is this a different request, or are we will talking about a motion for leave to file a supplemental memorandum?

Thanks! – Will

From: Becky Wolozin <bwolozin@youthlaw.org>**Sent:** Friday, August 22, 2025 10:27 AM**To:** Parascandola, Christina (CIV) <Christina.Parascandola@usdoj.gov>**Cc:** Mishan Wroe <mwroe@youthlaw.org>; Silvis, William (CIV) <William.Silvis@usdoj.gov>; McCroskey, Joshua C. (CIV) <Joshua.C.McCroskey@usdoj.gov>; Delasalas, Dean (CIV) <Dean.Delasalas@usdoj.gov>; Joel McElvain <jmcelvain@democracyforward.org>; Cynthia Liao <cliao@democracyforward.org>; Diane de Gramont <ddegmont@youthlaw.org>**Subject:** Re: [EXTERNAL] Position on Plaintiffs' Motion for Leave to File Supplemental Memorandum re Class Certification

Good morning Will and Joshua,

Are either of you able to provide a response to Mishan's email (below) today by 11:30 am? We plan to file our Motion for Leave to Amend our Class Certification briefing today, as we discussed during our meet and confer call on Tuesday. If you are not able to provide a substantive response by that time, we will include this sentence in our Motion for Leave to Amend:

Pursuant to Local Civil Rule 7(m), counsel for Plaintiffs conferred with counsel for Defendants. Although the parties met and conferred in part concerning this motion on Tuesday, August 19, 2025, and again by email on August 21-22, 2025, Defendants, through their counsel, did not provide their position to this motion.

Thanks for your prompt attention. (And I hope you have a restful day away from the office Christina!)

Becky



Becky Wolozin (she/her/ella)

Senior Attorney

Cell: (202) 964-0406

On Fri, Aug 22, 2025 at 9:43AM Parascandola, Christina (CIV) <Christina.Parascandola@usdoj.gov> wrote:

Hi Mishan,

I am out of the office and plan to send you a substantive response early next week.

Sincerely,

Christina

[Get Outlook for iOS](#)

From: Mishan Wroe <mwroe@youthlaw.org>
Sent: Thursday, August 21, 2025 4:00:49 PM
To: Parascandola, Christina (CIV) <Christina.Parascandola@usdoj.gov>
Cc: Silvis, William (CIV) <William.Silvis@usdoj.gov>; McCroskey, Joshua C. (CIV) <Joshua.C.McCroskey@usdoj.gov>; Delasalas, Dean (CIV) <Dean.Delasalas@usdoj.gov>; Joel McElvain <jmcelvain@democracyforward.org>; Cynthia Liao <cliao@democracyforward.org>; Diane de Gramont <ddegramont@youthlaw.org>; Becky Wolozin <bwolozin@youthlaw.org>
Subject: [EXTERNAL] Position on Plaintiffs' Motion for Leave to File Supplemental Memorandum re Class Certification

Hi Christina,

As we discussed on Tuesday, we are filing a motion for leave to file a supplemental memorandum re class certification to add our new named plaintiffs as class representatives tomorrow. Can you please share Defendants' position on our motion for leave to file the supplemental memo? To clarify, we are not asking Defendants position on our motion for class certification as that has already been made clear by your opposition to our original motion.

Also, because the motion for leave will be filed before the JSR is filed, and consistent with our discussion Tuesday, we are including in our proposed order that Defendants may file a Response to Plaintiffs' Supplemental Memorandum by September 12, 2025 and Plaintiffs may file a Supplemental Reply by September 19, 2025.

thank you,

Mishan

--



Mishan Wroe, she/her
Directing Attorney, Immigration
p: 510.920.3512
youthlaw.org



UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
ANGELICA S., <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	No. 1:25-cv-1405-DLF
)	
U.S. DEPARTMENT OF HEALTH AND)	
HUMAN SERVICES, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

[PROPOSED] ORDER

Upon due consideration, Plaintiffs' Motion for Leave to File Supplemental Memorandum of Points and Authorities Regarding Plaintiffs' Motion for Class Certification is GRANTED.

Plaintiffs' Supplemental Memorandum attached as Exhibit A to Plaintiffs' Motion for Leave to File is deemed filed. Defendants may file a Response to Plaintiffs' Supplemental Memorandum by September 12, 2025. Plaintiffs may file a Supplemental Reply by September 19, 2025.

SO ORDERED this _____ day of _____, 2025.

DABNEY L. FRIEDRICH
United States District Judge

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

ANGELICA S., *et al.*,

Plaintiffs,

v.

U.S. DEPARTMENT OF HEALTH AND
HUMAN SERVICES, *et al.*,

Defendants.

No. 1:25-cv-1405-DLF

**PLAINTIFFS' SUPPLEMENTAL MEMORANDUM OF POINTS AND AUTHORITIES IN
SUPPORT OF PLAINTIFFS' MOTION FOR CLASS CERTIFICATION**

Plaintiffs respectfully submit this supplement to their Motion for Class Certification (ECF No. 9) (“Mot. for Class Cert.”) and Memorandum of Points and Authorities in Support of Plaintiffs’ Motion for Class Certification (ECF No. 9-1) (“Class Cert. MPA.”), filed on May 9, 2025 to reflect the newly added named Plaintiffs in their First Amended Complaint (ECF No. 48) (“Am. Compl.”), filed on August 15, 2025. Plaintiffs ask that the newly added named Plaintiffs, Mateo N., Yair G., and David D. be appointed class representatives, along with the existing named Plaintiffs Angelica S., Eduardo M, Liam W., Leo B., and Xavier L.

FACTS

On May 8, 2025, Plaintiffs filed their Complaint for Declaratory and Injunctive Relief. ECF No. 1, (“Compl.”). On May 9, 2025, Plaintiffs moved to certify the Plaintiff class and filed a Memorandum of Points and Authorities in support of that motion. Mot. for Class Cert.; Class Cert. MPA. Defendants filed their opposition to class certification on June 4, 2025. ECF No. 31, Defs.’ Opp. to Pls.’ Mot. for Class Cert. Plaintiffs filed a brief reply in support of provisional class

certification on June 6, 2025. ECF No. 32, Pls.’ Reply in Supp. of Provisional Class Cert. The Court certified a provisional class for the purposes of a preliminary injunction on June 9, 2025, finding that the class is sufficiently numerous, the named Plaintiffs are adequate representatives, and the named Plaintiffs’ claims are sufficiently common and typical to certify a provisional class. ECF No. 34, Order Granting Prelim. Inj. and Provisional Class Cert. (“PI Order”); ECF No. 35, Memorandum Opinion 19-22. (“PI Opinion”).

Pursuant to Fed. R. of Civ. P. 15, Plaintiffs filed their first Amended Complaint on August 15, 2025, adding three named child plaintiffs to the Complaint and amending the detention status of the original child plaintiffs to reflect changes since Plaintiffs filed the initial Complaint. *See Am. Compl.*¹ The newly added child Plaintiffs are Mateo N., Yair G., and David D. *Id.*

Mateo N. is a 17-year-old boy being held in New York as an unaccompanied minor in Office of Refugee Resettlement (“ORR”) custody, despite efforts by his U.S. citizen brother to sponsor him. *See generally* Ex. 1, Decl. of Mateo N. (Mateo Decl.); Ex. 2, Decl. of Steven N. (Steven Decl.). Mateo entered ORR custody in May 2025. Mateo Decl. ¶¶ 2, 4. Although Mateo’s brother, Steven, provided identity documentation that satisfies ORR’s current proof of identification requirements for himself, his wife, with whom he lives, lacks newly required identification documents. Steven Decl. ¶ 8. Steven and his wife have both provided fingerprints and completed a home study with a positive result. *Id.* ¶ 7. They also provided acceptable proof of income documents. *Id.* Mateo and Steven also did a DNA test to confirm that they are biologically related. *Id.*; Mateo Decl. ¶ 6. Despite no apparent concerns about Steven’s ability to care for Mateo, Mateo

¹ The Amended Complaint also removes Plaintiffs’ claims under 5 U.S.C. § 706(2)(B), original Counts III and Count VI. Plaintiffs did not rely on these claims in their motion for a preliminary injunction and provisional class certification motions and their removal does not affect class certification.

remains detained and apart from his family because Steven’s wife has not been able to provide a form of identification that satisfies ORR’s new requirements. Steven Decl. ¶ 9; Mateo Decl. ¶ 7.

Yair G. is a 17-year-old boy being held in New York as an unaccompanied minor in ORR custody, despite his sisters’ efforts to be his sponsor and bring him home. *See generally* Ex. 3, Decl. of Yair G. (“Yair Decl.”); Ex. 4, Decl. of Milagro G. (“Milagro Decl.”). Yair entered ORR custody in May 2025. Yair Decl. ¶¶ 2, 4. Yair’s sister, Milagro, provided identification from her country of origin, proof of income, proof of her address, and fingerprints to ORR as part of the sponsorship process. Milagro Decl. ¶¶ 5-7. After providing this information, Milagro was told she could not sponsor Yair because she does not have, and cannot obtain, a form of identity documentation accepted under the list of newly required identity documents. Milagro Decl. ¶ 6; Yair Decl. ¶ 7. Now, Yair remains detained apart from his sister as he pursues reunification with his sister’s close friend instead of with his family. Milagro Decl. ¶ 8; Yair Decl. ¶ 7.

David D. is a 14-year-old boy being held in ORR custody in California. Ex. 5, Decl. of David D. (“David Decl.”) ¶ 3; Ex. 6, Decl. of Isabel D. (“Isabel Decl.”) ¶ 2. David entered ORR custody in May 2025. David Decl. ¶ 3. David has not been able to reunify with his mother, Isabel because she does not have, and has not been able to obtain, a form of identity document accepted under the list of newly required identity documents. Isabel Decl. ¶ 5; David Decl. ¶¶ 4-5. Isabel and David completed DNA tests that confirmed their relationship and Isabel provided her fingerprints for a background check. Isabel Decl. ¶ 3. When Isabel’s relatives with whom she lived were unable to provide forms of identification that complied with ORR’s new requirements, Isabel moved to a new apartment with household members who could satisfy the requirement. *Id.* ¶ 5. This new apartment is more expensive and requires her to live with a friend instead of with her supportive family. *Id.* Still unable to sponsor her son, Isabel was finally permitted to apply for an exception to the new proof of identification requirement. *Id.* ¶ 7. She completed an in-person ID verification

meeting with ORR in July, but she has still not yet received a decision regarding the exception or sponsorship approval. *Id.* David remains in ORR custody, separated from his loving mother. *See generally* David Decl.; Isabel Decl.

ARGUMENT

Like the original named Plaintiffs, newly added Plaintiffs and putative class representatives Mateo N., Yair G., David D. challenge the Interim Final Rule issued by HHS on March 25, 2025, and ORR's new sponsor proof of identification and proof of income policies issued on March 7, 2025, and April 15, 2025, respectively. Mateo, Yair, and David have the same relevant characteristics as previously named Plaintiffs and putative class representatives, as alleged and incorporated here by reference to the First Amended Complaint, ECF No. 48. They seek to represent the same class as the original named Plaintiffs: "all unaccompanied children who are or will be in the custody of HHS and who (a) have or had a potential sponsor who has been identified; and (b) the sponsor's family reunification application has been denied, closed, withdrawn, delayed, or cannot be completed because the sponsor is missing documents newly required on or after March 7, 2025." *See* PI Order; Pls.' Amended Proposed Order, ECF 37-1. *See also*, Mateo Decl.; Steven Decl.; Yair Decl.; Milagro Decl.; David Decl.; Isabel Decl.

Mateo N., Yair G., and David D. entered ORR custody in May 2025. *Id.* As with the other putative class representatives (*see* Pls.' Class Cert MPA at 4-8), these children's sponsors and their household members have provided significant biographical and biometric information to ORR through the family reunification process, but the children are unable to reunify because their sponsors are unable to provide the newly required documents due to their immigration status, or the immigration status of their household members. Mateo Decl. ¶ 7; Steven Decl. ¶ 8; Yair Decl. ¶ 7; Milagro Decl. ¶ 6; David Decl. ¶ 5; Isabel Decl. ¶ 4. Therefore, the new putative class

representatives suffer “the same injury—extended detention by ORR—as a result of the new sponsor requirements.” PI Opinion at 20.

For the same reasons articulated in previously filed papers, the newly identified putative class members’ claims are typical of the claims of the members of the proposed class. *See* Pls. Class Cert. MPA at 16-17; Pls.’ Reply in Supp. of Class Cert. at 6-13 (“Class Cert. Reply”). As this Court recognized, “typicality and commonality inquiries tend to merge.” PI Opinion at 21 (citations omitted). Mateo, Yair, and David present the same claims as the previously named Plaintiffs, and these claims are typical of the class as a whole. They continue to suffer extended detention and separation from their family members as a direct result of these policies. *See generally* Mateo Decl.; Steven Decl.; Yair Decl.; Milagro Decl.; David Decl.; Isabel Decl.

Mateo N., Yair G., and David D. differ from the original named Plaintiffs only with regard to their date of entry into HHS custody. At the provisional class certification stage, the Court limited the provisionally certified class to children who were transferred to HHS custody on or before April 22, 2025, to ensure typicality regarding Plaintiffs’ reliance-based claims. PI Opinion at 22. ORR’s failure to consider reliance interests represents an important but only partial component of the Administrative Procedure Act claims brought by the class. For example, as this Court noted when discussing ORR’s new more limited list of acceptable forms of proof of identity, ORR failed to adequately “explain how the I-9 documents—which are used for employment eligibility—are a rational choice to balance the competing interests of avoiding unnecessary delay and effectively preventing fraud.” PI Opinion at 15. This issue affects all class members—including all named Plaintiffs—who are experiencing prolonged detention due to the proof of identity policy, regardless of when they entered HHS custody. Thus, the named Plaintiffs’ claims are typical of the class, regardless of when each named Plaintiff entered HHS custody. *See* Pls.’ Class Cert. Reply at 7-10.

At the very least, Mateo, Yair, and David’s claims are typical of the claims of children who were transferred to ORR custody after April 22, 2025. *Id.* The original and newly added putative class representatives are therefore collectively typical of the claims of absent class members. *See* Pls. Class Cert. Reply at 6, 10; *e.g. D.L. v. District of Columbia*, 302 F.R.D. 1, 14 (D.D.C. 2013) (“The Rule requires that the named plaintiffs’ claims be typical, not identical, and as such, this Court has found the typicality requirement satisfied where ‘at least one named plaintiff has a claim relating to each challenged practice for which relief is [sought].’”) (internal citation omitted).

To the extent the Court deems it necessary to ensure typicality, Plaintiffs request the Court certify a main Class of unaccompanied children in HHS custody affected by the new sponsorship requirements without any date limitation and a Reliance subclass of children who were in or transferred to the custody of HHS on or before April 22, 2025. *See* Pls.’ Class Cert Reply at 2. Plaintiffs propose Mateo, Yair, and David as class representatives for the main Class only.

Finally, Mateo N., Yair G., David D. will adequately protect the interests of the proposed class for the same reasons articulated in Plaintiffs’ previous filings, and previously uncontested by Defendants. Pls.’ Class Cert. MPA at 18-19; PI Opinion at 22. *See also* Mateo Decl. at ¶ 14; Yair G. at ¶ 13.

CONCLUSION

Plaintiffs respectfully request the Court certify a class of “all unaccompanied children who are or will be in the custody of HHS and who (a) have or had a potential sponsor who has been identified; and (b) the sponsor’s family reunification application has been denied, closed, withdrawn, delayed, or cannot be completed because the sponsor is missing documents newly required on or after March 7, 2025,” and appoint Angelica S., Eduardo M, Liam W., Leo B., Xavier L, Mateo N., Yair G., and David D. as class representatives.

August 22, 2025

Respectfully submitted,

//s/ Rebecca Ruth Wolozin

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cliao@democracyforward.org
jmcelvain@democracyforward.org
sperryman@democracyforward.org

CERTIFICATE OF SERVICE

I certify that on August 22, 2025, the foregoing was served via the Court's ECF system, which automatically caused an electronic copy to be sent to all counsel of record in this case.

/s/ Rebecca Wolozin

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Angelica S. et al. v. HHS et al., 1:25-cv-1405

Exhibit Index

Exhibit	Exhibit Description
1	Declaration of Mateo N., July 22, 2025
2	Declaration of Steven N., July 31, 2025
3	Declaration of Yair G., July 22, 2025
4	Declaration of Milagro G., July 28, 2025
5	Declaration of David D., July 31, 2025
6	Declaration of Isabel D., August 14, 2025

EXHIBIT 1

Declaration of Mateo N.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
ANGELICA S., <i>et al.</i> ,)	
Plaintiffs,)	
)	No. 1:25-cv-01405-DLF
v.)	
)	
U.S. DEPARTMENT OF HEALTH AND)	
HUMAN SERVICES, <i>et al.</i> ,)	
Defendants.)	
_____)	

DECLARATION OF [REDACTED]

I, [REDACTED], declare as follows:

1. This declaration is based on my personal knowledge and the following facts are true to the best of my understanding and recollection.
2. I am 17 years old and I am from [REDACTED]. I arrived in the United States around May 2025. I arrived by myself. I speak Spanish.
3. I have three brothers and a sister who live in the United States. One of my older brothers is sponsoring me now. We are really close and have a good relationship. We lived together in [REDACTED] before he came to the United States. He is a U.S. citizen. My other siblings live in the same area as him.
4. After I arrived in the United States, I was brought to a shelter here in New York. When I first arrived, another one of my brothers began the process of being my sponsor. I don't know why, but it was not possible for him to be my sponsor. So then my brother, [REDACTED], began the sponsorship process. I think he start the process in the first week that I was in the shelter.
5. [REDACTED] submitted the application to sponsor me right away. I think he has provided all the documents that the case manager asked him for that he has.

6. [REDACTED] lives with his wife and their two little daughters. My brother and his wife both provided fingerprints for a background check. They did a home study also. [REDACTED] and I did a DNA test also and we got our positive results.

7. From what I understand, the only missing document is an acceptable form of ID from [REDACTED]'s wife. I think that is the only thing missing. She has a passport from her country where she came from, but they won't accept that. Because they won't accept the kind of identification she has, I am still at the shelter, and I can't be released to my family.

8. I'm sad that I can't be with my brother and my family just because the government won't accept a particular ID. I don't know what my reunification plan is now. I don't know if another of my siblings will sponsor me. It's hard not to know what is going to happen to me or how long I will be stuck here.

9. I miss my family a lot. I talk to my brother almost every day. I also talk to my other siblings each week too. I feel sad all the time at the shelter. I even cry sometimes because I'm sad to be apart from my family. My therapist tries to help me and gives me words of advice and caring. But I still feel really sad.

10. I just want to live with my family. It is all I want to do. I just want to be with them and be together. I would feel so much calmer and safer with them than I do at the shelter. I would feel cared for.

11. If I could go live with my brother, I would be able to start living my new life. I would hug him, and we could go home and have [REDACTED] fried chicken. I really miss eating that.

12. It is not right that the government demands so many requirements and types of information to release kids to their families. They keep adding new difficult requirements, and because of that many kids get stuck and cannot go live with their families. It makes sense that the government would have to have some requirements, so kids are safe. But now it is too many, and instead of helping and protecting us, the requirements are hurting us. It is wrong to make kids live in government shelters for so much time. It is not good for us mentally.

13. I want to be able to go home to my family, and I also want to help other kids like me get released to their sponsors. I understand this case is about all the kids like me in the same situation.

14. Based on how being a class representative was explained to me, I want to represent a class of minors in the same situation as me. I will fairly and adequately protect the interests of the class so that we can have a real chance to be released to our sponsors. I plan to seek justice in the name of the proposed class of minors by bringing the claims in this lawsuit with persistence and determination. I will participate in the lawsuit according to the way in which my lawyers and I decide I should. I will work with the lawyers so that the lawyers do what is best for all the children in the case. I intend to remain involved with this case and to represent the proposed class to the best of my ability.

15. I have never served as a class representative in any other case. I am ready to do my best to help kids like me.

I declare under my duty to tell the truth and penalty of perjury that all the information I have here given is true and correct.

Executed on this 22nd day of July, 2025

[REDACTED]

Name:

[REDACTED]

CERTIFICATE OF TRANSLATION

My name is Rebecca Wlozin and I swear that I am fluent in both the English and Spanish languages and I translated the foregoing declaration from English to Spanish to the best of my abilities.

Dated: 07/22/25

A handwritten signature in cursive script, appearing to read 'Rebecca Wlozin', is written over a horizontal line.

EXHIBIT 2

Declaration of Steven N.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
ANGELICA S., <i>et al.</i> ,)	
Plaintiffs,)	
)	No. 1:25-cv-01405-DLF
v.)	
)	
U.S. DEPARTMENT OF HEALTH AND)	
HUMAN SERVICES, <i>et al.</i> ,)	
Defendants.)	
_____)	

DECLARATION OF [REDACTED]

I, [REDACTED] declare as follows:

1. This declaration is based on my personal knowledge and the following facts are true to the best of my understanding and recollection.
2. I am over 18 years of age. I live in Massachusetts. I speak Spanish and some English.
3. I am a United States Citizen. I live with my wife and our two US citizen daughters. They are 5 and 6 years old.
4. I am trying to sponsor my younger brother, [REDACTED] from ORR custody where he is detained. We lived together in [REDACTED] before I came to the United States. I love him very much. I want to bring him home to live with me and my family here. My wife and I will take good care of him, and he will be able to get to know his cousins.
5. [REDACTED] and I have several siblings who also live in the United States. Another one of our brothers began the sponsorship process before me but it became too difficult for him to complete all the steps.
6. I began the sponsorship process right away when the case manager from the shelter contacted me in late May 2025. I have submitted all my information, and I used my U.S. Passport as my form of identification.

7. My wife and I have both provided fingerprints for a background check. In July, we had a home study also, with a positive result. We provided proof of our income and that we can support [REDACTED] financially. [REDACTED] and I also did a DNA test in July, which proved that we were biologically related.

8. My wife has provided her passport from her country of origin, but she does not have a form of identification from the United States. We tried to go get a Massachusetts ID, but they told us my wife would have to do a driving test to get a driver's license and that she could not just get an ID card.

9. From what I understand, the only missing document is an acceptable form of ID from my wife. I don't understand why that is necessary, because she has done all the other background checks and no one has said they have doubted her identity. She will keep trying to get an ID card from Massachusetts so that we can bring [REDACTED] home, but it is not right that he should have to be in the custody of the government all this time while she tries to get a new form of ID.

10. It has been hard for [REDACTED] to be detained for months. I talk to him about twice a week. [REDACTED] is a shy kid. He is hopeful that my wife will be able to get her ID, and he will be able to come home to us.

11. [REDACTED] will be safe and loved with his family. These policies are unjust, and they are hurting [REDACTED]

I declare under my duty to tell the truth and penalty of perjury that all the information I have here given is true and correct.

Executed on this 31st day of July, 2025.

[REDACTED]

[REDACTED]

CERTIFICATE OF TRANSLATION

My name is Rebecca Wolozin and I swear that I am fluent in both the English and Spanish languages and I translated the foregoing declaration from English to Spanish to the best of my abilities.

Dated: July 31, 2025

Rebecca Wolozin

EXHIBIT 3

Declaration of Yair G.

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

ANGELICA S., *et al.*,
Plaintiffs,

v.

U.S. DEPARTMENT OF HEALTH AND
HUMAN SERVICES, *et al.*,
Defendants.

DECLARATION OF

I, [REDACTED], declare as follows:

1. This declaration is based on my personal knowledge and the following facts are true to the best of my understanding and recollection.
2. I am 17 years old, and I am from [REDACTED]. I arrived in the United States around May 2025. I arrived by myself. I speak Spanish.
3. My sister lives in the United States. We lived together in [REDACTED] before she came to the United States. We are very close.
4. After I arrived, I was sent to a shelter in Arizona. After a few weeks in Arizona they closed the shelter I was in, and they brought me to New York. My sister started the sponsorship process while I was still in Arizona. They asked my sister for an ID that was from the United States while I was in Arizona. She doesn't have one, and she told them that, but they still continued working on her sponsorship application.
5. My sister and I talk often about the progress in my case and about her application to bring me home to her. That is how I found out they asked for an ID from where she is living now.
6. She kept working on the sponsorship process after I was transferred to New York. I don't know that much about the details, but I know they kept working on it.

7. Now though, my sister decided to withdraw her application because she won't be approved unless she has the ID that she can't get. She does have a friend who has the right kind of ID, so I think now our plan is for her friend to try to sponsor me.

8. I felt so bad when she decided to withdraw. She told me, and my case worker told me. I had still had hope of going to live with her.

9. I don't know what will happen now. It's really hard. I have [REDACTED] months until I turn 18. Maybe I'll be stuck here until then. I don't know.

10. I want to live with my sister. More than anything though I want to get out. I would happily go live with my sister's friend instead of staying detained in the shelter. I want to be with people who will help me and care for me.

11. It's better to live with your family than in a shelter. It's not right that so many kids are stuck in shelters when there are family members who want to help them and take care of them.



12. I also want to help other kids like me get released to their sponsors. I understand this case is about all the kids like me in the same situation. I don't think it is right for the U.S. government to keep me in custody away from my family just because of a particular piece of paper or identification.

13. Based on how being a class representative was explained to me, I want to represent a class of minors in the same situation as me. I will fairly and adequately protect the interests of the class so that we can have a real chance to be released to our sponsors. I plan to seek justice in the name of the proposed class of minors by bringing the claims in this lawsuit with persistence and determination. I will participate in the lawsuit according to the way in which my lawyers and I decide I should. I will work with the lawyers so that the lawyers do what is best for all the children in the case. I intend to remain involved with this case and to represent the proposed class to the best of my ability.

14. I have never served as a class representative in any other case. I am ready to do my best to help kids like me.

I declare under my duty to tell the truth and penalty of perjury that all the information I have here given is true and correct.

Executed on this 22nd day of July, 2025


Name: 

CERTIFICATE OF TRANSLATION

My name is Rebecca Wlozin and I swear that I am fluent in both the English and Spanish languages and I translated the foregoing declaration from English to Spanish to the best of my abilities.

Dated: 07/22/25

A handwritten signature in cursive script, appearing to read 'Rebecca Wlozin', is written over a horizontal line.

EXHIBIT 4

Declaration of Milagro G.

DECLARATION OF [REDACTED]

I, [REDACTED], declare as follows:

1. This declaration is based on my personal knowledge, and the following facts are true to the best of my understanding and recollection.
2. I am over 18 years of age, and I live in [REDACTED]. I live alone. I speak [REDACTED] and Spanish.
3. My little brother, [REDACTED], has been in federal government custody since May 2025. I care about him a lot. He is such a good kid. We speak twice a week on the phone.

Sponsorship Process

4. About a week after my brother arrived in the United States, his first shelter contacted me about being his sponsor. I want to take care of my brother, so I sent them all the information they requested. I think I started the sponsorship process within a week after they contacted me.
5. I provided my identification from my home country, proof that I make enough money to support myself and my brother, and proof of my address. The case manager did not ask for any other identification at that time. The case manager told me I would have to do fingerprints and I agreed. I provided my fingerprints in early July, using my home country passport and ID.
6. In July 2025, after I provided my fingerprints, my brother's case worker told me that I could not be a sponsor unless I provided a different form of identification. The case manager said the ID had to be from the United States, or an ID from the state where I live. I cannot get any of the forms of identification they are requiring. Finding out that I couldn't sponsor my brother was really difficult for my brother and for me because we thought the application was progressing. He really wants to leave the shelter and live with family, and I want to take care of him.

7. I do not understand why this specific identification is necessary when the case worker previously accepted all the documents I provided, and I have already provided my fingerprints. No one has ever told me in this process that they think I am not who I say I am.

8. After I found out that I was not eligible to sponsor my brother, the case manager asked me if I could find another family member to sponsor him who did have the right kind of ID. I don't have another relative to ask with the right identification, so instead I asked a close friend who I have known for years whether she could be his sponsor. She agreed to sponsor my brother, and I know that she would take great care of him, but she is not his family. I think the case manager accepted her information and started the sponsorship process with my close friend, but I do not know how long that will take.

9. I am worried the process of my friend sponsoring my brother will take a really long time. My brother has already been in the shelter for two months and I know all these delays are hard for him. I wanted to be my brother's sponsor, but I also want him to be released as quickly as possible because it is not good for his mental health to be in the shelter for so long. So if my friend is able to be his sponsor and he can get released, that would be better than staying in the shelter.

10. I would like to take care of my brother myself, and I think I would take good care of him. We are family, and we love each other. My friend was going to be the backup caregiver on my sponsorship application and I trust her to take care of my brother, but she is not family. It is important for kids to be with their families if they can be.

11. [REDACTED] is a good kid and is respectful. He has always been an obedient kid and a kid who tries to do the right thing. If he came to live with me, I would make sure that he goes to school right away. I would take care of him, and make sure he has everything he needs, and I would

make sure he always does his homework. I want [REDACTED] to be cared for and free, living in a home and community that loves him. That is what all kids should have and that's what I want for my brother.

I declare under my duty to tell the truth and penalty of perjury that all the information I have here given is true and correct.

Executed on this 28th day of July, 2025

[REDACTED]

[REDACTED]

CERTIFICATE OF TRANSLATION

My name is Rebecca Wolozin and I swear that I am fluent in both the English and Spanish languages and I translated the foregoing declaration from English to Spanish to the best of my abilities.

Dated: July 28, 2025

Rebecca Wolozin

EXHIBIT 5

Declaration of David D.

I, Laura Alvarez, declare as follows:

1. I speak and understand English and Spanish.
2. The following is a true and correct translation of the annexed Declaration of [REDACTED].

DECLARATION OF [REDACTED]

I, [REDACTED], declare and say as follows:

1. This declaration is based on my personal knowledge. The following facts are true to the best of my understanding.
2. I am 14 years old. I arrived in the United States in May 2025. I arrived alone.
3. I am currently in a government shelter called [REDACTED]. I have been in this shelter since the beginning of May 2025.
4. I want to leave here to live with my mother. I have a good relationship with my mother and we spoke frequently by telephone and video when I was in my country. I really want to live with my family instead of being in a shelter with people I don't know.
5. When I arrived at the shelter, my mother began the process to sponsor me. I think that she has given all the information that she has. She has given her fingerprints. She and I have done DNA tests. I think that our DNA appointment was in the beginning of June. I do not know why the process has taken so much time but I think it is because my mother does not have an identification from the United States. I do not understand why that is necessary because my mother is my mother and the DNA test showed that she is my mother.

6. I feel sad to be here for so much time and there are other kids here in the same situation who are very sad and frustrated. I want to be a leader to represent other kids in the same situation and help all the kids to be with their families.

7. There are a lot of rules in the shelter and I would like to have more options for what to do during the day. All the kids here need to do the same thing.

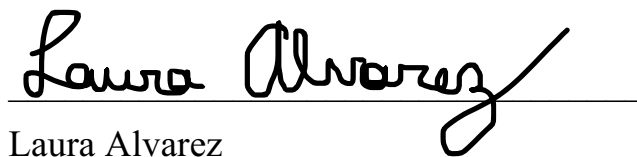
8. I speak to my mother and my brother by telephone but I would like to have more time to speak with them.

9. When I leave here, I want to study. I also want to go to the park and have a normal life.

I declare under my duty to tell the truth and penalty of perjury that all the information I have here given is correct and complete and I understand the legal consequences of testifying falsely to the authorities.

Executed on this 31st day of July 2025, in [REDACTED].

I declare under penalty of perjury that the foregoing is true and correct.
Executed on this 31st day of July 2025, in Oakland, California.


Laura Alvarez

Yo, [REDACTED], declare y digo lo siguiente:

1. Esta declaración está basada en mi conocimiento personal. Los hechos que describo son verdaderos a mi mejor conocimiento.
2. Tengo 14 años de edad. Llegué a los Estados Unidos en mayo 2025. Vine solo.
3. Actualmente estoy en un albergue del gobierno que se llama [REDACTED]. He estado en este albergue desde principios de mayo 2025.
4. Quiero salir de aquí para vivir con mi madre. Tengo una buena relación con mi madre y hablábamos por teléfono y video frecuentemente cuando yo estaba en mi país. Quiero mucho convivir con mi familia en vez de estar en un albergue con gente que no conozco.
5. Cuando llegué al albergue, mi madre comenzó el proceso para patrocinarme. Creo que ella ha dado toda la información que ella tiene. Ella ha dado sus huellas. Ella y yo hemos hecho pruebas de ADN. Pienso que nuestra cita de ADN fue en principios de junio. No sé porque el proceso ha tomado tanto tiempo pero creo que es porque mi madre no tiene una identificación de los Estados Unidos. No entiendo porque eso es necesario porque mi madre es mi madre y la prueba de ADN muestra que es mi madre.
6. Estoy triste de estar aquí tanto tiempo y hay otros niños aquí en la misma situación que están muy tristes y frustrados. Quiero estar un líder para representar a otros niños en la misma situación y ayudar a todos los niños a estar con sus familias.
7. Hay muchas reglas en el albergue y me gustaría tener más opciones de que hacer durante el día. Todos los niños aquí tienen que hacer la misma cosa.
8. Hablo con mi madre y mi hermano por teléfono pero me gustaría tener más tiempo para hablar con ellos.
9. Cuando salgo de aquí, quiero estudiar. También quiero ir al parque y tener una vida normal.

Declaro bajo protesta de decir la verdad y pena de falso testimonio que toda la información que aquí he proporcionado es correcta y completa a mi mejor conocimiento, consciente de las consecuencias legales de declarar con falsedad ante la autoridad.

Hecho el día 31 de julio del año 2025, en

[REDACTED]

[REDACTED]

EXHIBIT 6

Declaration of Isabel D.

I, Laura Alvarez, declare as follows:

1. I speak and understand English and Spanish.
2. The following is a true and correct translation of the annexed [REDACTED].

DECLARATION OF [REDACTED]

I, [REDACTED], declare as follows:

1. This declaration is based on my personal knowledge. The following facts are true to the best of my understanding.
2. My son [REDACTED] is in government custody in a shelter in California. He is 14 years old. He arrived in the United States in the beginning of May 2025.
3. When [REDACTED] arrived at the shelter, his case worker contacted me to sponsor him. I agreed to provide my information to sponsor him. I sent my identification and my son's birth certificate immediately. I completed the application and provided my fingerprints and my DNA. At the DNA appointment I brought my identification and they took a photo of my identification.
4. The worker told me that I need an identification from the State to sponsor my son, but I cannot obtain a qualifying identification. I only have my consular identification card. My son's case worker told me to attempt a driver's test to obtain a license, but I do not know how to drive and I am afraid of driving.
5. I lived with other members of my family, but I had to move to a new apartment because they were not able to provide a United States identification either. I am now paying more for rent. After I moved, my new housemate also had to provide all her information and provide her fingerprints. This caused more delays in the case. Someone also came to do a home study in June. They told me that everything was good with the home study.

6. My son has been in the shelter for three months and all the delays in this process have been difficult for him. In his first shelter we spoke by video call five times a week. Last week they transferred him to a new shelter and now we can only speak by telephone. He tells me that sometimes he is bored and sad.

7. At the end of July, the case worker told me that she sent my case to the government and that they would consider an exception to the identification requirement. I thought everything was complete, but on [REDACTED] July [REDACTED], someone from the government called me and told me that I had to present myself in person on [REDACTED] July [REDACTED] for a verification of my identification. On July [REDACTED] I traveled for approximately an hour and a half by car to go to a government building and present my identification. A woman who works for the government took a photograph of my identification and a photo of me. I thought that would be the last step in the process, but on August [REDACTED] my son's new case worker asked for a Social Security Number.

8. I think the people from the government are going to have a meeting to see if they can approve my case or if they are going to ask for more things. It has been a long time that I have not received news regarding the case and this is very stressful for me and my son. I am very worried that they are going to ask for more things and that I will not be able to give them what they want. I have given all the information that I can and I have done everything possible for my son to be with me.

9. I am also very worried about trying to drive because I don't want to cause accidents. I had an appointment for a driving test on August [REDACTED] I went to the appointment because I had not received a decision regarding my son's case and I do not know if I will get an exception to the identification requirement. I did not pass the exam and the examiner was very rude to me. I felt bad because I cannot drive but I wanted to do everything I could to make sure my son could live with me. I have also missed a lot of work because of all the appointments related to my son's case and my work has noticed.

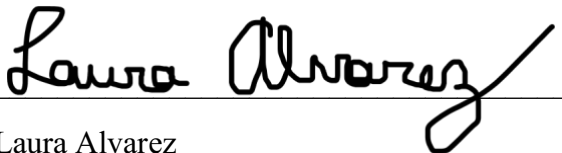
10. What I wish for most is to be with my son. I know the government has to verify that sponsors haven't done bad things, but I haven't had any problems. I just do not have an identification from the United States and I cannot drive. I do not know why this is relevant to the

care of my son. I have done everything possible so that my son can come home with me and do well in school. He likes to draw and study and he wants to go to school.

I declare under my duty to tell the truth and penalty of perjury that all the information I have here given is correct and complete and I understand the legal consequences of testifying falsely to the authorities.

Executed on this 14th day of August 2025 in [REDACTED] California.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 14th day of August 2025, in Oakland, California.


Laura Alvarez

Yo, [REDACTED], declare y digo lo siguiente:

1. Esta declaración está basada en mi conocimiento personal. Los hechos que describo son verdaderos a mi mejor conocimiento.
2. Mi hijo [REDACTED] está bajo la custodia del gobierno en un albergue en California. Tiene 14 años. Llegó a los Estados Unidos a principios de mayo 2025.
3. Cuando [REDACTED] llegó al albergue, su trabajadora de caso se puso en contacto conmigo para patrocinarlo. Yo acepté proporcionar toda mi información para patrocinarlo. Envié mi identificación y el certificado de nacimiento de mi hijo de inmediato. Completé la aplicación y proporcioné mis huellas y mi ADN. En la cita de ADN llevé mi identificación y tomaron una foto de mi identificación.
4. La trabajadora de caso me dijo que necesito una identificación del estado para patrocinar a mi hijo, pero no puedo obtener una identificación que califique. Solo tengo mi matricula del consulado. La trabajadora de caso de mi hijo me dijo de intentar el examen de conducir para obtener una licencia, pero no sé manejar y tengo miedo de manejar.
5. Vivía con otros miembros de mi familia, pero tuve que mudarme a un nuevo apartamento porque ellos tampoco podían proporcionar una identificación estadounidense. Ahora estoy pagando más para alquiler. Después de mudarme, mi nueva compañera de habitación también tuvo que proporcionar toda su información y dar sus huellas. Esto causó más retrasos en el caso. Alguien también vino a hacer un estudio de casa en junio. Me dijo que estaba todo bien con el estudio de casa.
6. Mi hijo ha estado en un albergue durante tres meses y todos los retrasos en este proceso ha sido muy duro para él. En su primer albergue hablaba con él por video llamada cinco

días a la semana. La semana pasada le trasladó a un nuevo albergue y ahora solo podemos hablar por teléfono. El me dice que a veces esta aburrido y triste.

7. En finales de julio, la trabajadora de caso me dijo que había enviado mi caso al gobierno y que iban a considerar una excepción a los requisitos de identificación. Creí que todo estaba completo, pero [REDACTED] de julio, alguien del gobierno me llamo y me dijo que tenía que presentarme personalmente [REDACTED] de julio para una verificación de mi identificación. El [REDACTED] de julio viajé para aproximadamente una hora y media en coche para ir a un edificio del gobierno y presentar mi identificación. Una mujer que trabaja para el gobierno tomó una foto de mi identificación y una foto de mí. Creía que eso iba a ser el último paso del proceso, pero el [REDACTED] de agosto la nueva trabajadora de mi hijo preguntó por un numero de seguridad social.

8. Creo que la gente del gobierno van a hacer una reunión par ver si pueden aprobar el caso o si van a pedir más cosas. Hace mucho tiempo que no he recibido noticias sobre el caso y es muy estresante para mí y para mi hijo. Me preocupa mucho que van a pedir más cosas y que no voy a poder darles lo que quieren. He dado toda la información que puedo y he hecho todo lo posible para que mi niño está conmigo.

9. Me preocupa mucho también tratar de manejar porque no quiero causar accidentes. Tuve una cita para el examen de conducir el [REDACTED] de agosto. Fui a la cita porque no había recibido una decisión sobre el caso de mi hijo y no sé si voy a obtener una excepción al requisito de identificación. No pasé el examen y el examinador fue muy feo conmigo. Me sentí mal porque no puedo manejar pero quería intentar todo lo posible para que mi hijo puede vivir conmigo. También he faltado mucho al trabajo a causa de todos las citas relacionado al caso de mi hijo y mi trabajo lo ha notado.

10. Lo que más deseo es estar con mi hijo. Yo sé que el gobierno tiene que verificar que los patrocinadores no hayan hecho cosas malas, pero yo no he tenido problemas. Simplemente no tengo una identificación de los Estados Unidos y no puedo manejar. No sé por qué esto es relevante para el cuidado de mi hijo. He hecho todo lo posible para que mi niño puede regresar a casa conmigo y que él tiene buenos estudios. Le gusta dibujar y estudiar y quiere ir a la escuela.

Declaro bajo protesta de decir la verdad y pena de falso testimonio que toda la información que aquí he proporcionado es correcta y completa, consciente de las consecuencias legales de declarar con falsedad ante la autoridad.

Hecho el día 14 de agosto del año 2025, en [REDACTED] California

[REDACTED]