UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND
GREENBELT DIVISION

The Door, *et al.*,

Plaintiffs,

vs.

Joseph B. Edlow, *et al.*,

Defendants.

Case No. 26-CV-04326-BAH

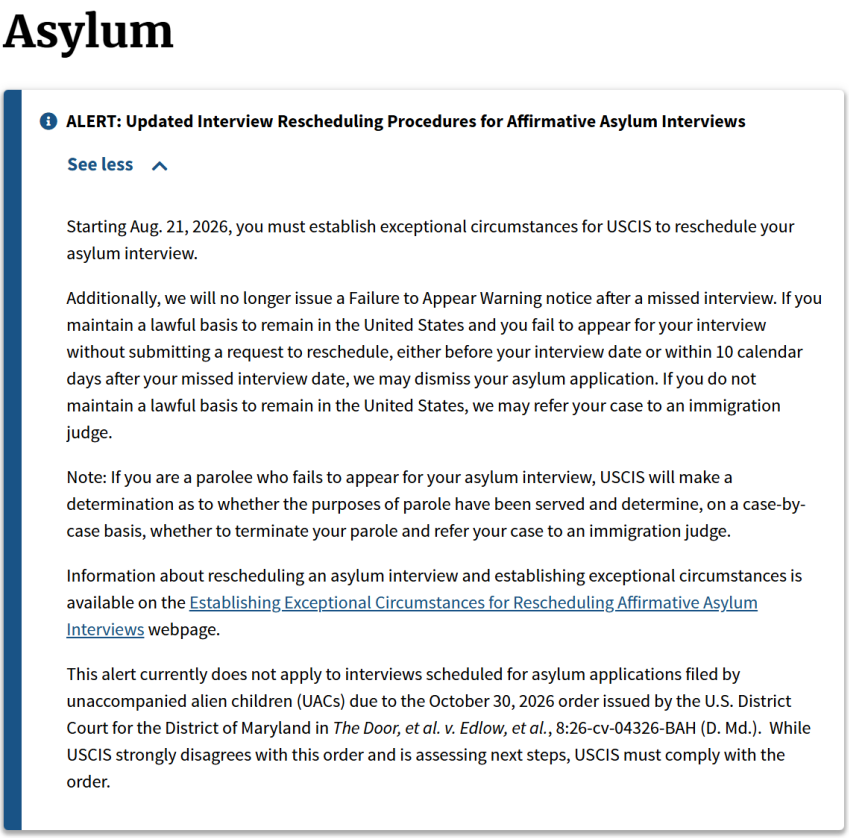
PLAINTIFFS' NOTICE OF DEFENDANT USCIS'S NONCOMPLIANCE WITH TEMPORARY RESTRAINING ORDER AND REQUEST FOR RELIEF

On October 30, 2026, this Court issued a Temporary Restraining Order directing Defendants to reinstate two longstanding USCIS policies: first, "USCIS's policy of generating written notice at least 21 days prior to a scheduled asylum interview and promptly sending such notice to applicants and their counsel"; and second, "USCIS's prior policy of allowing applicants to reschedule their asylum interviews once as a matter of course and again for good cause," taking several factors into account. ECF 54 at 20–21. The Court also directed Defendants to file a status report within 48 hours "describing all steps Defendants have taken to comply with this order." *Id.* at 21.

On Monday, November 2, the USCIS website still displayed a banner with an alert notifying asylum applicants that the agency requires "exceptional circumstances" to reschedule interviews (the "Exceptional Circumstances Policy"). Plaintiffs' counsel notified Defendants that this violated the TRO, informing them at the same time that their 48-hour deadline to file a

status report detailing compliance had lapsed. *See* ECF 60-3 (email correspondence). Defendants then submitted two different status reports without explanation. *See* ECF 55, 56. The initial status report indicated that USCIS is "assessing a number of its public-facing websites to determine whether references to the Court's Order are appropriate." ECF 55. The second status report was silent on that issue. *See* ECF 56.

It was not until November 3—four days after the Court issued the TRO—that Defendants updated the guidance on the USCIS website. The most prominent guidance on the Asylum main page limits the scope of the TRO, stating, at the bottom of several paragraphs outlining the Exceptional Circumstances Policy, that the "alert currently does not apply to interviews scheduled for asylum applications filed by [unaccompanied children] due to [the Court's October 30 Order]." *See* USCIS, *Asylum*, https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum (last accessed Nov. 4, 2026 at 11:58 pm EST).



Asylum

ALERT: Updated Interview Rescheduling Procedures for Affirmative Asylum Interviews

See less

Starting Aug. 21, 2026, you must establish exceptional circumstances for USCIS to reschedule your asylum interview.

Additionally, we will no longer issue a Failure to Appear Warning notice after a missed interview. If you maintain a lawful basis to remain in the United States and you fail to appear for your interview without submitting a request to reschedule, either before your interview date or within 10 calendar days after your missed interview date, we may dismiss your asylum application. If you do not maintain a lawful basis to remain in the United States, we may refer your case to an immigration judge.

Note: If you are a parolee who fails to appear for your asylum interview, USCIS will make a determination as to whether the purposes of parole have been served and determine, on a case-by-case basis, whether to terminate your parole and refer your case to an immigration judge.

Information about rescheduling an asylum interview and establishing exceptional circumstances is available on the Establishing Exceptional Circumstances for Rescheduling Affirmative Asylum Interviews webpage.

This alert currently does not apply to interviews scheduled for asylum applications filed by unaccompanied alien children (UACs) due to the October 30, 2026 order issued by the U.S. District Court for the District of Maryland in *The Door, et al. v. Edlow, et al.*, 8:26-cv-04326-BAH (D. Md.). While USCIS strongly disagrees with this order and is assessing next steps, USCIS must comply with the order.

Defendant USCIS's delays, followed by their varying status reports and ambiguous public-facing updates, have caused confusion and concrete harm to legal service providers and their child clients in recent days. In the last day alone, Plaintiffs and their counsel have received at least eight reports that Defendant USCIS's Asylum Offices are not complying with the Order. Among them:

- An attorney in Boston, Massachusetts attempted to reschedule his client's November 2 interview—including by emailing USCIS staff a copy of the TRO the day before the interview and handing them a physical copy of the TRO on the day of the interview—and was told that only headquarters could reschedule an interview. The interview went forward over the attorney's objection. *See* Ex. 2.
- An attorney in Bethpage, New York attempted to reschedule an interview on November 2 and found that no USCIS staff—including the supervisors—were aware of the TRO. The child client's online status now reads "Failure to Appear" after the interview did not go forward. *See* Ex. 3.
- An attorney in Tampa, Florida who has four asylum interviews scheduled for the morning of November 5 and one scheduled for November 6 submitted multiple requests to reschedule the interviews, citing this Court's Order. *See* Ex. 4. When the attorney reached out to the USCIS contact center, it responded that the request would be subject to the "exceptional circumstances" standard. *Id.*
- An attorney and his client in Omaha, Nebraska were forced to proceed with an asylum interview on November 4, despite the attorney's repeated requests to reschedule pursuant to this Court's Order. The attorney who appeared at the interview was covering for the child's primary attorney, who unexpectedly had to

attend a family member's funeral on the same day as the interview. On November 2, the primary attorney requested rescheduling, citing the TRO, and USCIS responded that the request would be evaluated for exceptional circumstances. *See* Ex. 5. The day of the scheduled interview, the substitute attorney appeared in person with his client and handed a paper copy of the TRO to the USCIS officer, who conferred with two supervisors and informed the attorney that USCIS could not issue a decision on the reschedule request. *Id.* Faced with the possibility of a "failure to appear" finding, the client chose to go forward with the interview, but unbeknownst to the client and the attorney, USCIS emailed the primary attorney during the interview, admitted that the prior denial was in error, and agreed to reschedule the interview to comply with this Court's Order. *Id.*

- An attorney in Chicago, Illinois asked USCIS on November 3 to reschedule multiple interviews based on this Court's Order, but USCIS only responded to one request. On November 4, USCIS initially said it would evaluate the reschedule request under the "exceptional circumstances" standard, but changed course after counsel for Plaintiffs notified Defendants of the TRO violation. Ex. 6. The attorney has not received a response to any other reschedule request. *Id.*
- An attorney from Plaintiff Immigrant Defenders Law Center in Los Angeles, California received a message in response to a reschedule request on November 4, stating that the exceptional circumstances standard still applied to reschedule requests. *See* Ex. 7.

Plaintiffs' counsel has contacted Defendants' counsel about some of these issues, but the piecemeal approach to compliance and enforcement is unsustainable. On the morning of November 4, Plaintiffs' counsel alerted Defendants' counsel to issues in the Chicago, Newark, and Boston Asylum Offices. Ex. 1. Defendants' counsel responded that the above-mentioned incident in Chicago was "an unfortunate oversight" that was being remedied there and at "all asylum offices," but did not address the issues arising out of the Newark or Boston offices. *See id.* Plaintiffs' counsel requested copies of the initial and follow-up communications from Defendant USCIS to their nationwide offices to ensure compliance with the TRO, but as of the time of filing, Defendants have not provided these communications. *Id.* Plaintiffs' counsel also notified Defendants of violations at the Tampa Office (Ex. 8), and Defendants' counsel responded with compliance updates moments before this filing.

These violations have immediate and irreparable consequences for legal service providers and the unaccompanied children they represent. Plaintiffs understand the Court will address Defendants' efforts to comply with the TRO at the status conference and also respectfully request that the Court require Defendants to (1) disclose the instructions Defendants have sent to asylum offices since October 30, 2026 directing them to comply with the TRO; (2) provide a list of all asylum interviews for which an initial rescheduling request after 12 p.m. EDT on October 30, 2020, was denied and/or for which a subsequent rescheduling request was not evaluated under the "good cause" standard; (3) instruct asylum offices to rescind any failure-to-appear notices that resulted from USCIS's failure to comply with the TRO to date and reschedule the interview; (4) instruct asylum officers to rescind any referrals that resulted from USCIS's failure to comply with the TRO to date and reschedule the interview; and (5) provide status updates every 48 hours through the duration of the TRO to ensure continued compliance.

Dated: November 4, 2026

Respectfully submitted,

TRIAL IMPACT PROJECT

/s/*Sara Haji*
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damianopearson@nilc.org
Comstock@nilc.org

Lydia Fuller

From: Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov>
Sent: Wednesday, November 4, 2026 12:17 PM
To: shaji
Cc: Marjorie Menza; Mishan Wroe; Diane de Gramont; Crow, Melissa; Lynn Damiano Pearson; Hannah Comstock; Kevin Siegel
Subject: RE: [The Door v. Edlow] TRO Noncompliance

I have put in a request and will forward to you the information as soon as I receive it.

Thank you,

Dayna Kipnis
Assistant United States Attorney
U.S. Attorney's Office, District of Maryland
36 South Charles Street, 4th Floor
Baltimore, Maryland 21201
(410) 209-4908

From: Sara Haji <shaji@trialimpact.org>
Sent: Wednesday, November 4, 2026 12:19 PM
To: Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov>
Cc: Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Diane de Gramont <ddegramont@youthlaw.org>; Crow, Melissa <crowmelissa@uclawsf.edu>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
Subject: [EXTERNAL] Re: [The Door v. Edlow] TRO Noncompliance

Thank you for this update, Dayna. Can you please send us both the original guidance to AOs last week and the USCIS instruction you reference in your email below?

Sara Haji
Executive Director
Trial Impact Project
(213) 259-2501



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From: Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov>
Sent: Wednesday, 04 November 2026 09:15:01
To: Sara Haji <shaji@trialimpact.org>
Cc: Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Diane de Gramont

<ddegramont@youthlaw.org>; Crow, Melissa <crowmelissa@uclawsf.edu>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
Subject: RE: [The Door v. Edlow] TRO Noncompliance

Dear Counsel:

This was an unfortunate oversight. The Chicago Asylum Office sent out a templated email response in this email chain without consideration of this TRO. USCIS has instructed them and all asylum offices to correct this immediately and ensure that no other rescheduling requests for UACs were inappropriately denied since 10/31 in contravention of this TRO. In response, the Chicago Asylum Office will be replying to this email shortly agreeing to reschedule the interview and will be reviewing all other emails that were sent out since Friday to ensure reschedule requests for UACs are handled in accordance with this TRO.

Dayna Kipnis
Assistant United States Attorney
U.S. Attorney's Office, District of Maryland
36 South Charles Street, 4th Floor
Baltimore, Maryland 21201
(410) 209-4908

From: Sara Haji <shaji@trialimpact.org>
Sent: Tuesday, November 3, 2026 6:20 PM
To: Kipnis, Dayna (USAMD) <Dayna.Kipnis2@usdoj.gov>
Cc: Marjorie Menza <mmenza@trialimpact.org>; Mishan Wroe <mwroe@youthlaw.org>; Diane de Gramont <ddegramont@youthlaw.org>; Crow, Melissa <crowmelissa@uclawsf.edu>; Lynn Damiano Pearson <damianopearson@nilc.org>; Hannah Comstock <Comstock@nilc.org>; Kevin Siegel <siegel@nilc.org>
Subject: [EXTERNAL] [The Door v. Edlow] TRO Noncompliance

Dayna,

We are hearing very concerning reports of noncompliance with the Court's TRO, and we ask that you inform your clients immediately of these violations so they can be rectified. In addition to the concern raised by the Court in the letter order today, we have heard from our clients and other attorneys that asylum officers in the Newark and Boston offices have refused to reschedule interviews as a first request and/or for good cause. Additionally, we received the attached email today regarding a violation in the Chicago office that concerns an interview scheduled for 8:30am CT tomorrow.

Please confirm with Plaintiffs **by 9am ET tomorrow (Wednesday)** that you have addressed these issues with your clients and informed each office of its obligations under the TRO, particularly with respect to the interview that is currently scheduled for tomorrow morning. Please also share a copy of any guidance you've provided to USCIS offices to inform them of how to comply with the TRO. If necessary, Plaintiffs will file a report with the Court in advance of the telephonic hearing raising these issues.

Best,
Sara

Sara Haji (she/her)
Executive Director

(213) 259-2501
shaji@trialimpact.org

New name, same mission:
Social Justice Legal Foundation is now the ***Trial Impact Project***.

This message is sent by a law firm and may contain privileged or confidential information. If you received this transmission in error, please notify the sender by reply email and delete the message and any attachments.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(SOUTHERN DIVISION)

The Door, et al., *Plaintiffs*, vs. Joseph B. Edlow, *et al.*, *Defendants*.	Case No.: 8:26-cv-04326-BAH Declaration of Emily Norman, Kids in Need of Defense

DECLARATION OF EMILY NORMAN REGARDING USCIS' NON-COMPLIANCE WITH THE COURT'S TEMPORARY RESTRAINING ORDER

1. I, Emily Norman, make the following statements on behalf of myself and Kids in Need of Defense (KIND). I certify under penalty of perjury that the following statement is true and correct.

2. I am over the age of 18 years old and make this declaration based upon my personal knowledge and experience. Where information is upon information and belief, the same is stated. If called to do so, I could and would competently testify to these matters under oath.

3. I have been an attorney at KIND for over eight years. I have been employed by KIND in several roles since May 2018, serving both detained and released children. As of December 2025, I am the Regional Director (East) for KIND's legal programs team and am responsible for oversight and program management of eight field offices, including our Boston and Hartford offices. As Regional Director, I oversee the Managing Directors of multiple offices along the east coast, meeting with them on a regular basis to discuss, among other things, case strategy and trends impacting the unaccompanied child clients that KIND represents or otherwise serves via

mentorship of pro bono attorneys.

4. KIND is a national nonprofit organization providing legal and psychosocial services to unaccompanied children facing removal proceedings in the United States. Some children who receive legal services through KIND are in the care of the Office of Refugee Resettlement (ORR) of the Department of Health and Human Services (HHS). KIND also serves children who have been released from ORR custody to live with caregivers. KIND attorneys provide direct legal representation to unaccompanied children and provide expert mentorship to pro bono attorneys who agree to represent unaccompanied children with applications for relief before U.S. Citizenship and Immigration Services ("USCIS") and in Immigration Court.

5. Upon information and belief, on Monday, October 26, 2026, a KIND attorney appeared at the Newark Asylum office with their unaccompanied child client for the child's asylum application interview after receiving less than seven days' notice of the interview. The attorney explained the lack of sufficient notice precluded KIND from submitting supporting evidence for the child's case, properly preparing the child for the interview, and from finding an interpreter that speaks the child's primary language. The Newark Asylum Office indicated that they would reschedule the interview, and KIND would receive a new interview notice. The officer stated USCIS would find an interpreter given the near impossibility of locating an in-person interpreter for the child's primary language.

6. The following day, on October 27, 2026, USCIS sent another interview notice by email to the child's attorney scheduling the interview for November 2, 2026.

7. On Monday, November 2, a KIND attorney appeared at the Newark Asylum Office for the scheduled interview and asked whether the interview would be rescheduled pursuant to the temporary restraining order ("TRO") issued in *The Door v. Edlow* to allow for 21 days' notice of scheduling. After speaking with several officers, the KIND attorney was told the TRO only applies to interviews that are scheduled after October 30, 2026, and they do not need to provide 21 days' notice to cases scheduled before October 30, 2026. Although USCIS attempted to

proceed with the interview, no interpreter was available and the interview was postponed solely because of the lack of interpretation.

8. Upon information and belief, on Monday, November 2, 2026, a pro bono attorney who was representing a client in connection with their asylum matter, with training and support from KIND, appeared at the Boston Asylum Office with their client for an asylum interview. Two attorneys were working on the case at the same firm. The primary attorney with a Form G-28 Entry of Appearance ("G-28") on file was on maternity leave. The primary attorney did not receive any written notice of the interview. A second attorney at the firm also has a G-28 on file with USCIS and did not receive written notice from USCIS of the November 2 interview. The firm never received written notice from USCIS of the interview. Written notice of the interview arrived at the address on file for the client on or around October 17, 16 days before the interview, however counsel covering the maternity leave was not informed of the interview until Friday October 30. On Sunday, November 1, the attorney emailed the Boston asylum office with a first-time reschedule request and attached a copy of the Court's temporary restraining order. In the written request, the attorney noted that they became aware of the interview a few days before it was scheduled to occur, the child's primary attorney was on parental leave, and thus the attorney did not have sufficient time to prepare their client or gather and submit supporting evidence. Given that no response was received prior to the Monday morning interview, the attorney appeared with their client on November 2, brought a copy of this Court's TRO, and orally renewed their first-time reschedule request. At that time, the attorney was told by the Boston Asylum Office that only headquarters could reschedule interviews and it was not the field office's decision. The officer denied the request and the interview went forward despite the attorneys' request.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 4th day of November 2026, in West Hartford, Connecticut.

Emily Norman

Regional Director

KIND

Diane de Gramont <ddegramont@youthlaw.org>

Reporting Noncompliance with the TRO

Fanni Koszeg <fkoszeg@safepassageproject.org> Wed, Nov 4, 2026 at 1:35 PM
To: the-door-inquiries@trialimpact.org

Hello,

I wanted to report that my client, a 19-year-old UAC from El Salvador, was scheduled for an interview on November 2, 2026. Our office received the interview notice on September 23. I inherited the asylum case from prior counsel and after the TRO was entered on October 30, we decided to submit a first rescheduling request via email to the New York Asylum office AND in person on the day of the hearing on November 2, 2026.

I sent the packet via email on October 31, 2026. I went to the asylum office in Bethpage on November 2 at 7:30 am with my request and included a copy of the TRO as an exhibit. My client was not with me. The staff had no idea about the TRO and had obviously not received any instructions on how to respond. This included the check-in staff and the supervisors I was able to speak with. They gave us the reschedule request form and took the filing, however they were not able to assure me that my client would not be marked as having "failed to appear". The supervisors stated that every request had to be reviewed by "leadership" and they would "make decisions in accordance with the law" and "respect court orders."

Despite these weak assurances, my client's USCIS status was changed to Failure to Appear with the usual language stating she had to submit a reschedule request within 10 days on November 3, 2026. It is still showing this.

Please let me know if you have questions. Several of my colleagues were with me on Monday with reschedule requests and the current status is the same for all of our clients.

Thanks,
Fanni

--
Fanni Koszeg
Senior Staff Attorney
Safe Passage Project
Office: 917-768-8440
Mobile: 646-309-7281

No child should face the immigration process alone.

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Tampa AO - The Door v. Eldow TRO

Ashley Hamill <ahamill@firclaw.org> Wed, Nov 4, 2026 at 4:54 PM
To: "the-door-inquiries@trialimpact.org" <the-door-inquiries@trialimpact.org>, "ddegramont@youthlaw.org" <ddegramont@youthlaw.org>

Good Evening,

I'm Ashley from FIRC in Tallahassee. We're a formerly Acacia network funded UCP provider with many asylum interviews being rapidly scheduled for our UAC clients at the Tampa and Atlanta asylum offices.

We've tried to reschedule this week's UAC asylum interviews pursuant to the TRO issued last Friday in The Door v. Eldow but the Tampa asylum office is ignoring our emails and the USCIS contact center says we can mail proof of exceptional circumstances. We have 4 interviews scheduled for tomorrow 11/5/26 at 8:30 am and 1 more on Friday 11/6/26 at 8:30 am. All at the Tampa Asylum Office.

Is there any recourse for our UAC clients forced to go forward with their interviews while the TRO is in place? Should we be reporting these instances to class counsel?

Thank you so much for your time and consideration,
Ashley

Ashley Hamill, Esq.
Legal Director
Family & Immigration Rights Center (FIRC)
Office Address: 215 E. Fifth Avenue, Tallahassee, FL 32303
Mailing Address: PO Box 11331, Tallahassee, FL 32302
(850) 739-0017
ahamill@firclaw.org

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DECLARATION OF ALEX ARAYA

REGARDING USCIS'S NON-COMPLIANCE WITH TRO

I, Alex Araya, declare as follows:

1. I am a licensed attorney in good standing in the State of Nebraska, and I serve as a Staff Attorney at the Center for Immigrant & Refugee Advancement ("CIRA"), 4223 Center St, Omaha, NE 68105.

2. I am over the age of 18 years old and make this declaration based upon my personal knowledge and experience. If called to do so, I could and would competently testify to these matters under oath.

3. Around 30 attorneys and DOJ accredited representatives in my office represent unaccompanied children ("UC") seeking immigration relief, including asylum, among other clients. Our office represents unaccompanied children in their affirmative applications for asylum before USCIS. There is no asylum office in Omaha. Our "local" office is the Chicago Asylum Office, and our clients are interviewed by officers on circuit rides.

4. My office represents a 19-year-old boy, whom DHS designated a UC upon his arrival in the U.S. The client was scheduled for an asylum interview on Nov. 4, 2026, but his primary attorney, Miren Ainoa De Anzola, was unable to attend due to a family member's funeral scheduled to take place on the same day as the interview. On Nov. 2, the primary attorney Ms. Ainoa De Anzola submitted an email request to reschedule the interview pursuant to the TRO in *The Door v. Edlow*, and copied me on that email. This was counsel's first request to reschedule. A true and correct copy of that complete email correspondence is attached as **Exhibit A** to this declaration.

5. On Nov. 3, the Asylum Office sent an email confirming receipt of the request and stated that it would evaluate the request under USCIS's exceptional circumstances policy. The primary attorney responded that the request should be evaluated under the good cause policy. Hearing nothing in response, I appeared in person for the interview as scheduled with the client, after the client agreed to have me represent them if the Asylum Officer proceeded with the

interview in violation of the TRO. On Nov. 4 my client and I arrived at the interview location ahead of the 8:30am CT interview. The Officer greeted us around 8:30am and I reiterated the request to reschedule but the Officer stated the office had not received any implementing guidance about the TRO. The Officer took us to his office to further discuss the matter. In his office, the Officer asked my client whether he was prepared to proceed with the interview. I explained we first wanted a decision on the reschedule request given that the TRO stated USCIS must grant an initial reschedule request "as a matter of course." The Officer asked whether I was ready to proceed. I stated that I did not want my client or I to answer any questions related to the interview until we received a decision on our pending reschedule request. The Officer replied that they were messaging with two supervisors via Microsoft Teams. Then, the Officer stated USCIS had every intention of adhering to the TRO but could not issue a decision on the request. I asked whether my client risked receiving a negative decision or referral to the immigration court without an interview if he chose not to move forward with the interview that day. The officer said again that USCIS had every intention of abiding with the TRO, and pending implementing guidance, he had said all he could. The Officer called his supervisor via Teams, who reiterated what the Officer stated. I asked for time to speak with counsel for the Plaintiffs in the instant case, and we briefly adjourned. At this point, we had been discussing the reschedule request for over an hour. In addition to alerting Plaintiff's counsel to the ongoing violation of the TRO, I asked my client whether he wanted me to continue litigating the reschedule request. Faced with receiving a failure to appear or going forward with the interview, my client went ahead with the interview at around 10am CT. The interview itself ended around 1:45pm CT.

6. After the interview, I learned that, around or before 11am CT, the Chicago Asylum office was instructed to immediately adhere to the TRO and to correct any rescheduling requests that were improperly denied since Oct. 31. Also after the interview, I learned that at around 11am CT, while the interview was in progress, Ms. Ainoa de Anzola received an email from the Chicago Asylum Office stating USCIS erred in its previous response and would reschedule the interview. I was not notified during the interview that the request had been granted. That correspondence is reflected in Exhibit A to this declaration.

7. It would have been in the client's best interest not to continue the interview. I met with them briefly on Nov. 2 to introduce myself, and briefly on Nov. 3 to execute my entry of appearance should USCIS force us to proceed with the interview despite the pending reschedule request and TRO. We did not have the opportunity to develop the rapport that he had with his primary attorney. Before the interview began, the officer asked how my client felt, and my client responded that he felt nervous. During the interview, there were a few instances where my client's testimony could have seemed problematic. I attempted to assist the client to cure any perceived inconsistencies by redirecting his testimony and he responded to the best of his ability, but I am confident that the client's primary attorney would have been much better positioned to do this given her familiarity of the client's case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 4th day of November, 2026, at Omaha, Nebraska.

Alex Araya

EXHIBIT A

Outlook

Fw: CONTINUANCE UNDER TRO - Manuel [redacted]

From Miren Ainoa De Anzola <mdeanzola@ciraconnect.org>
Date Wed 11/4/2026 3:38 PM
To Alex Araya <aaraya@ciraconnect.org>

Get Outlook for iOS

From: Asylum, Chicago <Chicago.Asylum@uscis.dhs.gov>
Sent: Wednesday, 04 November 2026 10:53:06
To: Miren Ainoa De Anzola <mdeanzola@ciraconnect.org>
Subject: RE: CONTINUANCE UNDER TRO - Manuel [redacted]

Good morning,

USCIS erred in the response it provided to your interview reschedule request yesterday (Tuesday, November 3, 2026). We received your request to reschedule and will reschedule the interview pursuant to the decision in The Door, et al. v. Edlow, et al., 8:26-cv-04326-BAH (D. Md.).

Thank you,
Chicago Asylum Office
nd

From: Miren Ainoa De Anzola <mdeanzola@ciraconnect.org>
Sent: Tuesday, November 3, 2026 3:57 PM
To: Asylum, Chicago <Chicago.Asylum@uscis.dhs.gov>
Cc: Alex Araya <aaraya@ciraconnect.org>
Subject: Re: CONTINUANCE UNDER TRO - Manuel [redacted]

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Dear Officer,

Please note that in accordance with USCIS guidance and the updated USCIS policy after the TRO was implemented, **USCIS must not apply** the exceptional circumstances standard to Unaccompanied Minors, such as our client Manuel [redacted] and **they must grant a continuance as a matter of course.** Please see the following except from the link you provided addressing continuance requests:

Asylum Interview Rescheduling Procedures for Unaccompanied Alien Children (UACs)

On Oct. 30, 2026, the U.S. District Court for the District of Maryland issued an order granting a motion for a temporary restraining order and staying two alleged policies that impact USCIS' processing of asylum cases filed by UACs in *The Door, et al. v. Edlow, et al.*, 8:26-cv-04326-BAH (D. Md.) Pursuant to that order, USCIS must allow any UAC to "reschedule their asylum interview once as a matter of course and again for good cause." When evaluating good cause, the order requires USCIS to take into consideration:

- "counsel's [or the legal representative's] ability to be present with their client at the interview, manage scheduling conflicts, gather and submit evidence, and prepare their client;"
- the UAC's "ability to attend the interview;" and
- whether the UAC and/or counsel/legal representative previously received fewer than 21 days' notice of the interview.

While USCIS strongly disagrees with this order and is assessing next steps, USCIS must comply with the order.

Therefore, we supplement our request for a continuance with the link your office provided regarding the stardard that should apply.

Best,

Miren A. De Anzola
Lead Attorney
Pronouns: she/her/hers

CIRA Center for Immigrant & Refugee Advancement

P: 402-898-1349 | E : mdeanzola@immigrantlc.org | CIRAconnect.org

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From: Asylum, Chicago <Chicago.Asylum@uscis.dhs.gov>
Sent: Tuesday, November 3, 2026 2:31 PM
To: Miren Ainoa De Anzola <mdeanzola@ciraconnect.org>
Subject: RE: CONTINUANCE UNDER TRO - Manuel [redacted]

Good afternoon,

We received your request to reschedule and are carefully considering your submission. We do not need any additional information from you at this time. USCIS will consider your reschedule request using the requirements for establishing exceptional circumstances to reschedule your interview, which can be found at Establishing Exceptional Circumstances for Rescheduling Affirmative Asylum Interviews | USCIS

Thank you,
Chicago Asylum Office
nd

From: Miren Ainoa De Anzola <mdeanzola@ciraconnect.org>
Sent: Monday, November 2, 2026 4:54 PM
To: Asylum, Chicago <Chicago.Asylum@uscis.dhs.gov>
Cc: Alex Araya <aaraya@ciraconnect.org>
Subject: CONTINUANCE UNDER TRO - Manuel [redacted]

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RE: Manuel [redacted]

Dear officer,

We request a continuance as a matter of course under the TRO (The Door v. Edlow (See attached)) enjoining USCIS's exceptional circumstances" continuance policy implemented on August 21, 2026. Due to the TRO, Manuel is allowed to be granted one continuance as a matter of course.

Manuel is an Unaccompanied Minor (See attached) who has pending TVPRA Asylum with your office. He has not received a continuance before. Counsel has to attend a funeral on Wednesday. (See attached). Therefore, we ask that you grant our continuance request. Thank you for your consideration.

Best,

Miren A. De Anzola
Lead Attorney
Pronouns: she/her/hers

CIRA Center for Immigrant & Refugee Advancement

P: 402-898-1349 | E : mdeanzola@immigrantlc.org | CIRAconnect.org

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EXTERNAL EMAIL

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EXTERNAL EMAIL

DECLARATION OF LAURA SMITH

REGARDING USCIS'S NON-COMPLIANCE WITH TRO

I, Laura Smith, declare as follows:

1. I am a licensed attorney in good standing in the State of Illinois, and I serve as the Executive Director of Children's Legal Center ("CLC"), 1100 W. Cermak Road, Suite 422, Chicago, Illinois 60608.

2. I am over the age of 18 years old and make this declaration based upon my personal knowledge and experience. If called to do so, I could and would competently testify to these matters under oath.

3. The six attorneys in my office serve as counsel for more than 500 unaccompanied children seeking immigration relief, including asylum. We practice before the USCIS Asylum Offices in Chicago, Illinois, and Indianapolis, Indiana.

4. On Tuesday, November 3, 2026 at 4:27 p.m. CST, a law clerk in my office, working at my direction and the direction of a staff attorney at CLC, submitted a request to the Chicago Asylum Office to reschedule an interview scheduled for Thursday, November 5, 2026 at 11:00 a.m. CST. A true and correct copy of that email and the subsequent communications is attached hereto as **Exhibit A**.

5. This was our first request to reschedule. We alerted the Chicago Asylum Office to the Order entered by this Court on October 30, 2026 and attached a copy of that Order.

6. On November 4, 2026 at 8:44 a.m. CST, we received a response from the Chicago Asylum Office (chicago.asylum@uscis.dhs.gov) directing us to the USCIS website link for "establishing exceptional circumstances to reschedule [our] interview." *See* Ex. A.

7. At 10:43 a.m. CST, we responded to the Chicago Asylum Office by once again requesting to reschedule and re-attaching the Court's October 30 Order.

8. At 2:46 p.m. CST, we received a response from the Chicago Asylum office stating that "USCIS erred in the response it provided" to our reschedule request of November 3, and it would reschedule the interview pursuant to the Court's Order in this case.

9. The November 3, 2026 rescheduling request attached as Exhibit A was one of several initial rescheduling requests we submitted to the Chicago Asylum Office that day. We have not received responses to any of the other requests submitted to USCIS after the Order was entered as of the time of this writing.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 4th day of November, 2026, at Chicago, Illinois.



Laura Smith

Outlook

Fwd: Request to Reschedule November 05, 2026 interview for Dulce [redacted]

From Laura Smith <laura@childrenslegalcenterchicago.org>
Date Wed 2026-11-04 6:47 AM
To Hannah Comstock <Comstock@nilc.org>

Laura Smith
Children's Legal Center
(this email was sent from a mobile device; please excuse any typos)

Forwarded message
From: **Asylum, Chicago** <Chicago.Asylum@uscis.dhs.gov>
Date: Wed, Nov 4, 2026, 8:44 AM
Subject: RE: Request to Reschedule November 05, 2026 interview for Dulce [redacted]
To: Susana Montano Palacios <Susana@childrenslegalcenterchicago.org>, Laura Smith <laura@childrenslegalcenterchicago.org>, Natallie Santana Suarez <natallie@childrenslegalcenterchicago.org>, Jennifer Vazquez <lawclerk@childrenslegalcenterchicago.org>, Laura Perez <perez@childrenslegalcenterchicago.org>, Alex Bello <alejandro@childrenslegalcenterchicago.org>

Good morning,

We received your request to reschedule and are carefully considering your submission. We do not need any additional information from you at this time. If you/your client choose not to move forward with the interview and USCIS does not approve the reschedule request, your client risks USCIS not approving the reschedule request and dismissing the case, if he or she maintains lawful status, or referring the case to Immigration Court, if he or she does not maintain lawful status. The requirements for establishing exceptional circumstances to reschedule your interview can be found at https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum/establishing-exceptional-circumstances-for-rescheduling-affirmative-asylum-interviews.

Thank you,

Chicago Asylum Office

th

From: Susana Montano Palacios <Susana@childrenslegalcenterchicago.org>
Sent: Tuesday, November 3, 2026 4:27 PM
To: Laura Smith <laura@childrenslegalcenterchicago.org>; Natallie Santana Suarez <natallie@childrenslegalcenterchicago.org>; Asylum, Chicago <Chicago.Asylum@uscis.dhs.gov>; Jennifer Vazquez <lawclerk@childrenslegalcenterchicago.org>; Laura Perez <perez@childrenslegalcenterchicago.org>; Alex Bello <alejandro@childrenslegalcenterchicago.org>
Subject: Request to Reschedule November 05, 2026 interview for Dulce [redacted]

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Applicant's name: **Dulce** [redacted]
Applicant's A Number: [redacted]

Applicant's Date of Birth: [redacted]
Applicant's Country of Birth: **Honduras**
I-589 Receipt Number: **ZCH990**

I-589 Interview Date: **Thursday, November 05, 2026 at 11:00 AM**
Asylum Interview Location: 181 W. Madison Street, Suite 3000, Chicago, IL 60602
Attorney of Record (G-28): **Natallie Santana Suarez**
Attorney's Mailing Address: 1100 W Cermak Rd., Ste 422, Chicago, IL 60608
Attorney's Email Address: Natallie@childrenslegalcenterchicago.org

Dear Asylum Officer:

Our office represents the Applicant, **Dulce** [redacted], in relation to her I-589 Application for Asylum and Withholding of Removal. Applicant is scheduled for an upcoming asylum interview on **Thursday, November 05, 2026, at 11:00 AM.** Attached is a copy of our **Form G-28** and interview notice.

I am writing to request that the Applicant's interview be rescheduled to a later date. This is our first request to reschedule, and pursuant to the recent court order entered on October 30, 2026, in *The Door, et.al v. Edlow*, Case No. 8:26-cv-04326-BAH (D. Md.), our request to reschedule should be granted as a matter of course. Attached is a copy of the court order.

I would appreciate your confirmation of receipt of this e-mail. Thank you for your attention to this matter.

Regards,

Susana Montano Palacios

Law Clerk
Asistente Legal

Children's Legal Center

Please note our new address

Por favor notar nuestra nueva direccion

1100 W Cermak Road, Suite 422

Chicago, Illinois 60608

Tel: (312) 722-6642 English and Spanish
Tel: (872) 225-4901 Dari and Farsi
Tel: (872) 225-4918 Pashto

ATTORNEY CLIENT PRIVILEGE: This message and any files transmitted with it are intended only for the recipient and may contain confidential information protected by the attorney client privilege and/or attorney work product doctrine. If you have received this email in error, please notify the sender and delete the email. Nothing in this communication creates an attorney client relationship unless expressly stated.

DECLARATION OF MARION DONOVAN-KALOUST ON BEHALF OF PLAINTIFF IMMIGRANT DEFENDERS LAW CENTER REGARDING USCIS'S NON-COMPLIANCE WITH TRO

I, Marion ("Mickey") Donovan-Kaloust, declare as follows:

1. I, Marion Donovan-Kaloust, make the following statements on behalf of myself and Plaintiff Immigration Defenders Law Center ("ImmDef"). I certify under penalty of perjury that the following statement is true and correct.

2. I am over the age of 18 years old and make this declaration based upon my personal knowledge and experience. If called to do so, I could and would competently testify to these matters under oath.

3. I am Director of Legal Services of ImmDef. I incorporate my Declaration in Support of Plaintiffs' Motion for Temporary Restraining Order (Dkt. 23-11) as if fully set forth herein.

4. Since this Court granted Plaintiffs' Motion for Temporary Restraining Order and stayed Defendant United States Immigration and Custom Services' Exceptional Circumstances Rescheduling Policy and Inadequate Notice Policy, ImmDef has experienced several instances of USCIS noncompliance with the TRO.

5. On Wednesday, November 4, 2026 at 11:12 am PT, I submitted a request to the Los Angeles Asylum Office to reschedule an asylum interview of my unaccompanied child client scheduled for December 8, 2026, as her prior attorney had recently resigned her employment and we needed additional time to transfer her case to a new attorney and for that attorney to prepare her. This was the client's first request to reschedule. Several minutes after sending the request, I received an automatic reply from the asylum office stating that all requests to reschedule would be evaluated under the exceptional circumstances policy, among other things. Other than that automatic reply, I have not received a response to my request to reschedule. A true and correct copy of that email correspondence is attached as **Exhibit A** to this declaration.

6. Several staff attorneys on my team have submitted requests to reschedule after the TRO was granted on Oct. 31. No one has received a unique response to their email requests. Those attorneys have therefore had to appear in-person for the interview as initially scheduled. Only when they appeared at the office and presented a copy of the Court's TRO Order and demanded to speak with a supervisor did USCIS agree to reschedule. Driving, often over an hour each way, to the Asylum Office, and then waiting a long period of time to speak with a supervisor is extremely inefficient and disruptive—especially to attorneys who currently have an unprecedented number of urgent and competing deadlines in light of the expedited nature of unaccompanied children's cases under current policy.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 4th day of November, 2026, at Riverside, California.

/s/
Marion Donovan-Kaloust

Outlook

Automatic reply: [redacted] Interview Reschedule Request pursuant to The Door v Edlow

From Los Angeles Asylum <LosAngelesAsylum@uscis.dhs.gov>
Date Wed 2026-11-04 11:16 AM
To Mickey Donovan Kaloust <Mickey@ImmDef.org>

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

IMPORTANT NOTICE - PLEASE READ

Starting April 20, 2026, this office no longer provides in-person information services. Visit uscis.gov/tools to find a complete list of online tools to assist you. If you have visited our website and cannot find the information you need or you need a service that we can only provide in person, call the USCIS Contact Center at 800-375-5283. For people who are deaf, hard of hearing, or have a speech disability: TTY 800-767-1833.

ALERT: Updated Interview Rescheduling Procedures for Affirmative Asylum Interviews

Starting Aug. 21, 2026, you must establish exceptional circumstances for USCIS to reschedule your asylum interview.

Additionally, we will no longer issue a Failure to Appear Warning notice after a missed interview. If you maintain a lawful basis to remain in the United States and you fail to appear for your interview without submitting a request to reschedule, either before your interview date or within 10 calendar days after your missed interview date, we may dismiss your asylum application. If you do not maintain a lawful basis to remain in the United States, we may refer your case to an immigration judge.

Note: If you are a parolee who fails to appear for your asylum interview, USCIS will make a determination as to whether the purposes of parole have been served and determine, on a case-by-case basis, whether to terminate your parole and refer your case to an immigration judge.

Information about rescheduling an asylum interview and establishing exceptional circumstances will be available on the Establishing Exceptional Circumstances for Rescheduling Affirmative Asylum Interviews webpage once the new procedures are in effect.

ALERT: Updated Evidence Submission Policy for Affirmative Asylum Applications

Starting Aug. 21, 2026, you must submit all evidence in support of your asylum application to the asylum office 14 calendar days before the date of your scheduled interview. Evidence submitted less than 14 calendar days from your scheduled interview may not be included with your asylum application, or we may reschedule your asylum interview. A rescheduled asylum interview due to late evidence submission may affect your eligibility for an employment authorization document (EAD).

For information related to employment authorization based on a pending asylum application, please review the **Permission to Work in the United States** section below.

ALERT: Updated Biometric Appointment Rescheduling Procedures for Aliens Who Have Filed for Affirmative Asylum

Starting Aug. 21, 2026, we will implement updated procedures for aliens who have filed Form I-589, Application for Asylum and for Withholding of Removal, and are requesting to reschedule a biometric services appointment.

If you fail to appear for your biometric services appointment and are requesting to be scheduled for a new appointment, you must submit your reschedule request within 10 calendar days of your missed appointment. You can submit a reschedule request via my.uscis.gov/accounts or by calling the USCIS Contact Center. You must provide evidence of the exceptional circumstances that led to your failure to appear in your USCIS online account or to the Asylum Office.

Failure to submit a reschedule request with the requested evidence, or failure to establish exceptional circumstances to excuse your failure to attend your biometric services appointment as initially scheduled, may cause USCIS to:

- Dismiss your asylum application, if you maintain a lawful basis to remain in the United States; or
- Refer your application to an immigration judge, if you do not maintain a lawful basis to remain in the United States.

Note: If you are a parolee who fails to appear for your biometric services appointment, USCIS will make a determination as to whether the purposes of parole have been served and determine on a case-by-case basis, whether to terminate your parole and refer your case to an immigration judge.

You can find more information on our Preparing for Your Biometric Services Appointment page. For information related to employment authorization based on a pending asylum application, please review the **Permission to Work in the United States** section below.

ALERT: Effective May 18, 2026, USCIS will no longer permit attorneys and accredited representatives to participate remotely in interviews at field offices and in affirmative asylum and Nicaraguan Adjustment and Central American Relief Act (NACARA) 203 interviews at asylum offices, except in limited circumstances. All legal representatives must be physically present to attend these interviews.

The Standby List Is Currently Open

To request to be added to the Standby List, please email LosAngelesAsylum@uscis.dhs.gov to receive the Standby List Agreement Form.
The standby list will close once 100 slots are filled (first come, first served).

CASE FILING INFORMATION

Affirmative Asylum Applications are not accepted at the Los Angeles Asylum Office. For instructions on how to file, please visit www.uscis.gov/i-589 and click on the Filing Instructions Tool.

CASE STATUS INFORMATION

You may check your case status online at www.uscis.gov/casestatus using your receipt number.
You may also call USCIS Contact Center at 1-800-375-5283 (if you are deaf, hard of hearing or have a speech disability: TTY 800-767-1833) during the hours of 8:00 a.m. to 8:00 p.m. (EST)

OTHER SERVICES

You may use our online Self Service at https://egov.uscis.gov/e-request to access a variety of self-help tools.
You may also call USCIS Contact Center at 1-800-375-5283 (if you are deaf, hard of hearing or have a speech disability: TTY 800-767-1833) during the hours of 8:00 a.m. to 8:00 p.m. (EST)

Address Changes

Please visit www.uscis.gov/addresschange for information about how to change your address.

Updating G-28

If you are an attorney or accredited representative and you need to update the G-28 on file with USCIS, please do

only one of the following:

- If you have a USCIS Online Account, log in to your account to submit new Form G-28s for each case linked to your online account; or
- Submit a paper Form G-28 for every pending case and include the receipt number for each case; or
- Submit a signed, written request on your office stationery that clearly states, “ATTORNEY OR ACCREDITED REPRESENTATIVE CHANGE OF ADDRESS” and include a list of pending cases with the form type, receipt number, A-Number, and each applicant's name listed for each case.

If you are submitting a paper form or written request, submit the documents for each case to the USCIS location where that case is currently pending.
For cases filed online, attorneys are advised to update G-28s through their attorney portal to avoid losing access to their client’s status and notices. Once the G-28 is linked to the case, attorneys will have immediate access to filings and uploaded notices.
If a G-28 for an online case is not processed through the attorney portal, the attorney will not be linked to their client’s notices.

Accommodation

An accommodation is a change in a USCIS practice or procedure that allows a qualified individual with a disability to participate in our programs and activities and access our benefits. If you need to request a disability accommodation:

- Go to uscis.gov/accommodations to make your request online; or

- Ask the USCIS Contact Center for help in English or Spanish.

If you need an accommodation for an appointment (fingerprinting, interview, etc.), we encourage you to request your accommodation immediately when you receive your appointment notice.

Interview Rescheduling

You may submit your request to the Contact Center at 1-800-375-5283 (TTY 800-767-1833) between 8:00 a.m. and 8:00 p.m. (EST).

Applicants are responsible for appearing at their scheduled interview unless they receive written confirmation that a reschedule request has been approved. Failure to appear for a scheduled interview without an approved reschedule may result in the issuance of a Failure to Appear Warning Notice.

ADDITIONAL INFORMATION

Asylum Scheduling Priorities

For current information about scheduling priorities, please visit: www.uscis.gov/humanitarian/refugees-asylum/asylum/affirmative-asylum-interview-scheduling.

Credible Fear/Reasonable Fear/Expedited Removal Proceedings

The Los Angeles Asylum Office does not adjudicate Expedited Removal cases. For detained Credible Fear/Reasonable Fear cases, email AsylumD3Prescreening@uscis.dhs.gov. For Non-Detained Credible Fear cases, email AsylumD3NonDetainedScheduling@uscis.dhs.gov.

Immigration Proceedings Inquiries

Please contact EOIR. For more information visit www.justice.gov/eoir/eoir-case-information.
Unaccompanied Alien Children (UACs) in immigration proceedings with a pending asylum application may go to www.uscis.gov/casestatus or call USCIS Contact Center at 1-800-375-5283 (if you are deaf, hard of hearing or have a speech disability: TTY 800-767-1833) during the hours of 8:00 a.m. and 8:00 p.m. (EST)
Online: For cases filed via a myUSCIS online account, it is advised that applicants and attorneys submit additional documents through the myUSCIS online account at myaccount.uscis.gov/. It is also recommended that you notify our office of the submission via email at LosAngelesAsylum@uscis.dhs.gov.