

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

_____	)	
GRACE, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil No. 18-cv-1853 (EGS)
	)	
JEFFERSON B. SESSIONS, III,	)	
Attorney General of the	)	
United States, et al.,	)	
	)	
Defendants.	)	
_____	)	

ORDER

During the afternoon of August 8, 2018, Plaintiffs, eight asylum applicants who allege they have suffered extensive past persecution and who fear continued persecution in their countries of origin filed a Motion for Preliminary Injunction, ECF. No. 10, and an Emergency Motion for Stay of Removal, ECF No. 11. In their Motion for Stay of Removal, Plaintiffs sought emergency relief because two of the Plaintiffs, "Carmen"<sup>1</sup> and her daughter J.A.C.F., were "subject to imminent removal as soon as 11:59 pm on Thursday, August 9, 2018." ECF No. 11 at 1.

In light of their "imminent removal," this Court held an emergency hearing on August 8, 2018. At that hearing, Defendants stated that they would not consent to staying the removal past 11:59

<sup>1</sup> "Carmen" is proceeding under a pseudonym in this action.

pm Thursday August 9, 2018, but specifically represented to the Court that "Carmen" and her daughter would not be removed prior to that time. Based on that representation, the Court set an expedited briefing schedule to be completed by 1:00 am Thursday, August 9, 2018, and set a hearing on the motion for that same morning.

After hearing argument on the emergency motion, and following a Court recess, Plaintiffs' counsel informed the Court that, despite the representations made by Defendants, Plaintiffs "Carmen" and her daughter had been removed from their place of detention and could be in the process of being removed from the United States. In an email to this Court's Courtroom Deputy following the hearing, government counsel confirmed that "Carmen" and her daughter were, in fact, on an airplane while the Court was hearing argument on Plaintiffs' Emergency Motion.

Upon learning in open Court that "Carmen" and her daughter had been removed from their place of detention and could be in the process of being removed from the country, the Court issued an oral Order requiring the Defendants to return "Carmen" and her daughter to the United States **FORTHWITH**. The Court informed government counsel that it would neither tolerate nor excuse any delay with compliance with this Order. The Court also stated that it would enter a written Order memorializing its oral Order.

Accordingly, it is

**HEREBY ORDERED** that the Defendants shall return "Carmen" and her daughter to the United States **FORTHWITH**; and it is

**FURTHER ORDERED** that in the event that the Defendants do not fully comply with this Order, Defendants **Attorney General Jefferson Sessions, III; Secretary of the Department of Homeland Security Kirstjen M. Nielsen; U.S. Citizenship and Immigration Service Director Lee Francis Cissna; and Executive Office of Immigration Review Director James McHenry**, preferably accompanied by their attorneys, shall be **ORDERED** to appear in Court to **SHOW CAUSE** why they should not be held in **CONTEMPT OF COURT**; and it is

**FURTHER ORDERED** that the Defendants shall file a status report on the docket in this case by no later than 5:00 pm August 10, 2018, informing the Court of the Defendants' compliance with this Order.

**SO ORDERED.**

Signed: **Emmet G. Sullivan**  
**United States District Judge**  
**August 9, 2018**