

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
HUISHA-HUISHA et al.,)	
)	
Plaintiffs,)	
)	
v.)	
)	Civil Action No. 21-100 (EGS)
PETE T. GAYNOR, Acting Secretary of)	
Homeland Security, et al.,)	
)	
Defendants.)	
_____)	

**DEFENDANTS’ RESPONSE TO PLAINTIFFS’
EMERGENCY MOTION FOR STAY OR REMOVAL OR SIX FAMILIES**

Defendants, by and through undersigned counsel, hereby respond to the Minute Order dated Sunday, January 31, 2021, that directed Defendants to respond to Plaintiffs’ Motion for Stay of Removal (“Motion”; ECF No. 28), which was filed the same day.

Because Plaintiffs’ request for an emergency stay arose over the weekend, Defendants have not had an opportunity to consider the request in the context of the specific six named families who Plaintiffs allege are subject to the Title 42 Process. Consequently, the undersigned conveyed to Plaintiff’s counsel that Defendants would be opposed to this emergency motion, and Defendants reiterate their opposition for the same reasons.

Furthermore, in support of their Motion, Plaintiffs rely this Court’s ruling in *P.J.E.S. v. Wolf*, ___ F. Supp. 3d. ___, No. 20-CV-2245-EGS, 2020 WL 6770508, at *13 (D.D.C. Nov. 18, 2020). Yet Plaintiffs also acknowledge that on Friday, January 29, 2021, a motions panel of the D.C. Circuit stayed the *P.J.E.S.* preliminary injunction pending appeal and expedited the appeal. *See Order, P.J.E.S. v. Pekoske*, No. 20-5357 (D.C. Cir. Jan. 29, 2021), Doc. # 1882899.

Dated: February 1, 2021

Respectfully submitted,

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