

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Doe v. Andrews

Doe v. Andrews · No. 1:25-cv-00506-SAB-HC · Decided June 26, 2025

SUMMARY

The United States District Court for the Eastern District of California granted a federal immigration detainee’s motion to proceed under a pseudonym and request to seal documents revealing his identity or the basis of his Convention Against Torture claim. The court also directed the petitioner to respond to respondents’ motion to dismiss and strike unlawfully named respondents.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Stanley A. Boone
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 26, 2025
DOCKET	1:25-cv-00506-SAB-HC
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner filed a 28 U.S.C. § 2241 habeas petition together with motions to proceed under a pseudonym and to seal documents. Respondents opposed pseudonymous proceedings, did not oppose sealing, and moved to dismiss and strike allegedly unlawfully named respondents. The court granted the pseudonym and sealing requests and ordered briefing on the motion to dismiss.
STANDARD OF REVIEW	The court applied the Ninth Circuit's balancing test for pseudonymous litigation, weighing the severity of threatened harm, the reasonableness of the fear, the litigant's vulnerability to retaliation, prejudice to the opposing party, and the public interest. For sealing, the court applied the strong presumption of public access and required compelling reasons because the requested sealing concerned documents related to the merits of the habeas proceeding.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential
PARTIES	John Doe v. Tonya Andrews, et al.

TOPICS

immigration

federal habeas corpus

motions to dismiss

pleadings

civil procedure

PRACTICE AREAS

immigration

habeas corpus

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QUESTIONS PRESENTED

1. Whether Petitioner should be permitted to proceed under a pseudonym based on the risk of retaliation, torture, or other harm if his identity were disclosed.
2. Whether documents revealing Petitioner's identity or the underlying basis of his Convention Against Torture claim should be sealed under the applicable public-access standard.
3. Whether the court should excuse Respondents' failure to properly notice their motion to dismiss and strike unlawfully named respondents and permit briefing on that motion.

HOLDINGS

1. A party may proceed under a pseudonym when the need for anonymity, evaluated under the Ninth Circuit's five-factor balancing test, outweighs prejudice to the opposing party and the public's interest in disclosure. Petitioner's demonstrated risk of retaliation and harm, vulnerability, the absence of prejudice to Respondents, and the public interest justified pseudonymous proceedings.
2. Compelling reasons supported sealing documents that would reveal Petitioner's identity or the underlying basis of his fear-based claim because the demonstrated risk of harm outweighed the presumption of public access.
3. The court excused Respondents' failure to properly notice the motion to dismiss and strike for this instance and allowed the motion to proceed through briefing because a hearing did not appear necessary.

KEY QUOTATIONS

“a party may preserve his or her anonymity in judicial proceedings in special circumstances when the party’s need for anonymity outweighs prejudice to the opposing party and the public’s interest in knowing the party’s identity.” (Discussion II.A)

“Petitioner’s motion for leave to proceed under pseudonym (ECF No. 2) is GRANTED” (Order ¶ 1)

“Petitioner’s request to seal (ECF No. 4) is GRANTED” (Order ¶ 2)

FACTUAL BACKGROUND

Petitioner is a federal immigration detainee pursuing habeas relief under 28 U.S.C. § 2241 and seeking protection under the Convention Against Torture. An immigration judge granted Petitioner deferral of removal after finding that he was more likely than not to face torture by or with the acquiescence of a government official if removed to his country of origin. Petitioner asserted that disclosure of his identity and the basis of his fear-based claim could endanger him and family members in his home country. Respondents knew Petitioner's identity and did not identify any prejudice from pseudonymous proceedings; they also did not oppose sealing.

PROCEDURAL HISTORY

On April 29, 2025, Petitioner filed a petition for writ of habeas corpus and a motion for leave to proceed under a pseudonym. He filed a request to seal documents on April 30, 2025. Respondents opposed the pseudonym request, stated they did not oppose sealing, and moved to dismiss and strike unlawfully named respondents. The court granted the requests to proceed under a pseudonym and seal documents, excused the deficient notice of the motion to dismiss for this instance, and directed Petitioner to respond to that motion.

DISPOSITION

other

CASES CITED

- Doe v. Kamehameha Schools, 596 F.3d 1036, 1042 (9th Cir. 2010)
- Does I thru XXIII v. Advanced Textile Corp., 214 F.3d 1058, 1063, 1067-68 (9th Cir. 2000)
- United States v. Doe, 655 F.2d 920, 922 n.1 (9th Cir. 1981)
- Kamakana v. City & County of Honolulu, 447 F.3d 1172, 1172, 1178-79 (9th Cir. 2006)
- Nixon v. Warner Communications, Inc., 435 U.S. 589, 597 & n.7 (1978)
- Times Mirror Co. v. United States, 873 F.2d 1210, 1219 (9th Cir. 1989)
- Foltz v. State Farm Mutual Automobile Insurance Co., 331 F.3d 1122, 1135 (9th Cir. 2003)
- Center for Auto Safety v. Chrysler Group, LLC, 809 F.3d 1092, 1101 (9th Cir. 2016)
- Poozesh v. Pompeo, No. 1:19-cv-01466-LJO-SKO, 2019 WL 6052363, at *2 (E.D. Cal. Nov. 15, 2019)
- International Refugee Assistance Project v. Trump, No. TDC-17-0361, 2017 WL 818255, at *2-3 (D. Md. Mar. 1, 2017)
- Doe v. Becerra, 732 F. Supp. 3d 1071, 1091 (N.D. Cal. 2024)
- E.O.P. v. Andrews, No. 1:25-cv-00721-SKO (HC), 2025 WL 1735396, at *1 (E.D. Cal. June 23, 2025)
- Doe v. Wofford, No. 1:24-cv-00943-EPG-HC, 2025 WL 1305859, at *4 (E.D. Cal. May 6, 2025)
- A.E. v. Andrews, No. 1:25-cv-00107-KES-SKO (HC), 2025 WL 871334, at *1 (E.D. Cal. Mar. 19, 2025)