

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF PENNSYLVANIA

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DYLAN LOPEZ CONTRERAS,

*Petitioner,*

-against-

LEONARD ODDO, in his official capacity as the Facility  
Administrator of the Moshannon Valley Processing Center;  
BRIAN MCSHANE, in his official capacity as acting Philadelphia  
Field Office Director for U.S. Immigration and Customs  
Enforcement; TODD LYONS, in his official capacity as Acting  
Director U.S. Immigrations and Customs Enforcement; and  
KRISTI NOEM, in her official capacity as U.S. Secretary of  
Homeland Security; U.S. DEPARTMENT OF HOMELAND SECURITY;  
U.S. IMMIGRATIONS AND CUSTOMS ENFORCEMENT,

*Respondents.*

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Case No.  
3:25-cv-00162

**NOTICE  
OF MOTION**

PLEASE TAKE NOTICE THAT the City of New York respectfully moves for leave to file the accompanying brief as amicus curiae in support of petitioner Dylan Lopez Contreras's application for injunctive and other relief. The petitioner consents to the filing of this motion, and the respondents have not yet provided their position. For the reasons set forth in the accompanying memorandum of law, the motion should be granted.

Dated: June 2, 2025

Respectfully submitted,

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U.S. IMMIGRATIONS AND CUSTOMS ENFORCEMENT,

*Respondents.*

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Case No.  
3:25-cv-00162

**MEMORANDUM OF LAW IN SUPPORT OF MOTION OF THE CITY OF  
NEW YORK FOR LEAVE TO FILE AN AMICUS CURIAE BRIEF IN  
SUPPORT OF PETITIONER DYLAN LOPEZ CONTRERAS**

The City of New York respectfully moves this Court for leave to file the accompanying brief as amicus curiae in support of petitioner Dylan Lopez Contreras’s application for injunctive and other relief.

This Court has broad discretion to permit the filing of an amicus brief. Granting leave may be appropriate when, for example, the amicus has a “special interest” in the case, and “the proffered information is timely and useful.” *Liberty Resources, Inc. v. Philadelphia Hous. Auth.*, 395 F. Supp. 2d 206, 209 (E.D. Pa. 2005); see *Tatel v. Mt. Lebanon Sch. Dist.*, 22-cv-837, 2024 U.S. Dist. LEXIS 199438, at \*2-3 (W.D. Pa. Apr. 3, 2024). Amicus participation is especially appropriate where “an issue of general public interest is at stake.” *Liberty Resources*, 395 F. Supp. 2d at 209.

The City has a special interest in this case and is able to offer useful information addressing the broader public interests at stake. On the individual level, Dylan is a New York City resident. When he was detained, he had lived and worked in the City for some time and was attending one of our public schools.

More broadly, while the City does not set immigration policy or decide who enters this country, it must govern with an eye to the reality that asylum seekers and undocumented immigrants have made the City their home. The tactics employed in Dylan’s case—using his appearance at court for a routine immigration hearing as an opportunity to detain him—threatens to deter people from accessing the court system on which local governance depends. The implications threaten to reach well beyond the immigration arena and reach the countless other matters affecting public welfare that require our residents to appear in court every day. The City is well situated to

address the consequences to localities from such tactics, as bears on the public interest prong of the preliminary injunction analysis.

For the foregoing reasons, the motion for leave to file the proposed amicus brief should be granted.

Dated: June 2, 2025

Respectfully submitted,

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF PENNSYLVANIA

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Case No.  
3:25-cv-00162

*Respondents.*

---

**BRIEF FOR AMICUS CURIAE THE CITY OF NEW YORK  
IN SUPPORT OF PETITIONER DYLAN LOPEZ CONTRERAS**

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**INTEREST OF AMICUS CURIAE  
AND PRELIMINARY STATEMENT**

The City of New York submits this amicus brief in support of petitioner Dylan Lopez Contreras, a city resident and public high school student who was caught in a trap laid by immigration authorities in a courthouse in Manhattan, where federal, state, and local courthouses cluster within a few blocks. The City has an interest in this case because, while the City neither sets immigration policy nor decides who enters the country, it cannot govern while turning a blind eye to the many asylum seekers and undocumented immigrants who call New York City home. Tactics like those used to detain Dylan present these residents with an impossible choice: risk detention by attending court proceedings or run the same risk by failing to attend.

Such tactics undermine the public interest. Creating a culture of fear around court appearances deters people from participating in judicial proceedings—and not just immigration proceedings, but all manner of court proceedings that depend on cooperation from members of the public, whatever their legal status may be. Free access to courts is a pillar of the rule of law. Our judicial system cannot work as it should, as it must, if courthouses are treated as convenient places to spring traps.

Moreover, the City has an interest in these proceedings because since Dylan arrived in the City more than a year ago, he has accessed multiple City services intended to help new immigrants, including visiting one of the City's asylum help centers and attending a public high school to learn English.

**ARGUMENT**

**THE EQUITIES AND PUBLIC INTEREST**

**STRONGLY FAVOR INJUNCTIVE RELIEF**

In determining whether to grant injunctive relief, this Court must consider, among other factors, the balance of the equities and whether an injunction is in the public interest. *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008). The City submits this amicus brief in support of Dylan’s application to highlight how the equities and public interest heavily favor the relief he seeks—to protect not only Dylan’s individual rights but also the interests of the broader community in which he resides.

New York City is home to more than three million immigrants, comprising nearly 40% of our population.<sup>1</sup> Among them are those who remain undocumented<sup>2</sup> and continue to pursue permanent or another form of legal status. The City is also a beacon for those fleeing violence and insecurity in their home countries, with more than 100,000 recently entering the City while seeking asylum.<sup>3</sup> The City has an obligation to ensure that those residing in its jurisdiction can access basic municipal services and continue contributing as members of our community while here.

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<sup>1</sup> Mayor’s Office of Immigrant Affairs, *2024 Annual Report on New York City’s Immigrant Population and Initiatives of the Office* (“MOIA 2024 Report”) at 8, [https://www.nyc.gov/assets/immigrants/downloads/pdf/MOIA-2024-Annual-Report\\_4.4.25.pdf](https://www.nyc.gov/assets/immigrants/downloads/pdf/MOIA-2024-Annual-Report_4.4.25.pdf) (last visited May 31, 2025).

<sup>2</sup> Mayor’s Office of Immigrant Affairs, *2023 Annual Report on New York City’s Immigrant Population and Initiatives of the Office* (“MOIA 2023 Report”) at 10, [https://www.nyc.gov/assets/immigrants/downloads/pdf/MOIA-Annual-Report-2023\\_Final.pdf](https://www.nyc.gov/assets/immigrants/downloads/pdf/MOIA-Annual-Report-2023_Final.pdf) (last visited May 31, 2025).

<sup>3</sup> See MOIA 2023 Report at 24.

For many, continued community participation begins with a willingness to follow the legal pathways to permanent lawful resident status set out in federal law. And doing so requires applicants to consistently appear for proceedings at immigration courts in the City, without fear of being lulled into a false sense of security as a pretext for detention and swift removal. Despite his promising future, Dylan was detained following what he expected to be a routine immigration hearing at which he was unrepresented by counsel. He is reportedly one of more than a dozen people led to believe that their immigration cases were being favorably resolved and then arrested either in or outside an immigration courthouse in Manhattan,<sup>4</sup> a stone's throw away from a federal district court, state criminal and civil courts, local criminal, housing, and family courts, and other courthouses. These tactics risk driving underground those otherwise inclined to follow the country's immigration laws, undermining the very system that those laws are designed to serve.

Nor is the problem limited to immigration proceedings. When authorities encourage a culture of fear around routine immigration appearances, deterrence will not stop at a single courthouse's doors. Targeted populations do not draw such fine lines when liberty is at stake. So now that immigration authorities are deploying

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<sup>4</sup> See Gwynne Hogan, *ICE Agents Arrest at Least Seven Immigrants as Courthouse Blitz Continues*, THE CITY (May 29, 2025), <https://www.thecity.nyc/2025/05/29/ice-arrests-migrants-290-broadway-court-trump/> (last visited May 31, 2025); Austen C. Jefferson and Steve Kastenbaum, *Can NY stop ICE from arresting immigrants at federal courthouses?*, CITY & STATE, NEW YORK (May 30, 2025), <https://www.cityandstateny.com/policy/2025/05/can-ny-stop-ice-arresting-immigrants-federal-courthouses/405704/>.

tactics like those used against Dylan across the country,<sup>5</sup> it threatens to deter cooperation with judicial proceedings of all kinds, in federal, state, and local courthouses. And that would be true even if immigration authorities were not already engaging in enforcement action in or near state and local courthouses, despite the protections contemplated by laws like New York State's Protect Our Courts Act.<sup>6</sup>

Many matters critical to the safety and wellbeing of our residents flow through the court system. Protecting rights to fair housing often entails proceedings in housing court.<sup>7</sup> Avoiding abuse or neglect and recovering child support frequently requires appearances in family court.<sup>8</sup> Attempts to enforce wage protections and antidiscrimination laws often lead workers into the courts as well. And asylum seekers and immigrants, no less than citizens or permanent residents, face the types of deprivations

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<sup>5</sup> See Hamed Aleaziz et al., *How ICE Is Seeking to Ramp Up Deportations Through Courthouse Arrests*, N.Y. TIMES (May 30, 2025), <https://www.nytimes.com/2025/05/30/us/politics/ice-courthouse-arrests.html> (last visited May 31, 2025) (discussing operations around the country applying tactics similar to those used against Dylan).

<sup>6</sup> See Dan Clark, *Immigrants are being arrested at NY courthouses, top judge says*, TIMES UNION (Feb. 13, 2025), <https://www.timesunion.com/capitol/article/ice-arresting-immigrants-new-york-courthouses-20165859.php> (last visited May 31, 2025).

<sup>7</sup> See, e.g., N.Y. City Department of Social Services, *Universal Access to Legal Services: A Report on Year Six of Implementation in New York City* (Winter 2023), [https://www.nyc.gov/assets/hra/downloads/pdf/services/civiljustice/OCJ\\_UA\\_Annual\\_Report\\_2023.pdf](https://www.nyc.gov/assets/hra/downloads/pdf/services/civiljustice/OCJ_UA_Annual_Report_2023.pdf) (last visited May 31, 2025) (reporting that more than 125,000 eviction petitions were filed in New York City housing courts between 2022 and 2023).

<sup>8</sup> See N.Y. State Unified Court System, *Family Court Caseload Activity*, <https://ww2.nycourts.gov/family-courtdata-35076> (last visited May 31, 2025) (showing that more than 150,000 cases were filed in family court in New York City during 2024 alone).

our court system protects against.<sup>9</sup> If these residents fear that simply appearing in court to protect their rights or the rights of others could expose them to detention and removal, our judicial system will suffer, and the City with it.

This case presents an acute example of the broader hardships at stake. Dylan is a 20-year-old immigrant from Venezuela who, since arriving in New York City in May 2024, has demonstrated a commitment to building a future in the United States. Before this incident, Dylan was enrolled in and was actively attending Ellis Prep High School, a public school in the Bronx, where he was learning English in a program designed for older students like him, and sought and obtained help from a City Asylum Help Center. Dylan was working part-time to support his family.

Dylan was also in the process of applying for Special Immigrant Juvenile Status (SIJS), a pathway to lawful permanent residency status available to children under 21-years old who obtain a state-court order finding that they were abused, neglected, or abandoned.<sup>10</sup> Dylan's recent detention has upended his SIJS proceedings.

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<sup>9</sup> See, e.g., Marisa Gerber, *Low wages, lousy shifts, little room for advancement: Immigrant workers describe on-the-job discrimination*, L.A. Times (Oct. 19, 2023), <https://www.latimes.com/world-nation/story/2023-10-19/immigrant-workers-report-high-leves-of-discrimination-on-the-job#:~:text=Of%20the%20working%20immigrants%20surveyed,workplace%20because%20they%20were%20immigrants> (reporting results of survey finding that 47% of the working immigrants surveyed reported that employers did not pay them for all hours they worked or they faced discrimination and harassment because they were immigrants, among other forms of mistreatment).

<sup>10</sup> U.S. Citizenship and Immigration Services, *Special Immigrant Juveniles*, <https://www.uscis.gov/working-in-US/eb4/SIJ#:~:text=If%20you%20have%20been%20granted,status%20or%20adjustment%20of%20status> (last visited May 31, 2025).

Whatever the outcome of these proceedings may be, it sends a message to the thousands of other SIJS applicants in New York City alone<sup>11</sup> that their appearance in court—be it for an SIJS proceeding or otherwise—may cut them out of the legal residency process they were otherwise willing to follow.

Moreover, the City has an interest in ensuring that individuals like Dylan are afforded their rights under the law. The City offers resources to help immigrants, including those resources accessed by Dylan, such as the asylum help center he visited, and the English-language program he was attending at Ellis High School. Those steps help immigrants integrate into the community and contribute to its economic and cultural growth, as Dylan was already doing.

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<sup>11</sup> See Rachel Leya Davidson et al., *False Hopes: Over 100,000 Youth Trapped in the SIJS Backlog* at 28 (2023), <https://static1.squarespace.com/static/5fe8d735a897d33f7e7054cd/t/656a48a3f02597441a4cbf95/1701464285675/2023-false-hopes-report.pdf> (last visited May 31, 2025) (explaining that as of 2023, more than 6,000 New York City residents had received a state-court order qualifying them for SIJS but were awaiting approval of their applications from the federal government).

## CONCLUSION

For the reasons set forth in this brief, as well as those set forth by petitioner, this Court should grant petitioner's motion for injunctive relief.

Dated: June 2, 2025

Respectfully submitted,

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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF PENNSYLVANIA**

DYLAN LOPEZ	)	
CONTRERAS,	)	
	)	Civil Action No. 3:25-cv-00162
vs.	)	
	)	
LEONARD ODDO et al.	)	

AND NOW, upon consideration of the City of New York’s Motion for Leave to File an Amicus Curiae Brief in Support of Petitioner Dylan Lopez Contreras, it is hereby ORDERED that said motion is GRANTED. The City shall file the brief as a separate docket entry.

IT IS SO ORDERED.

Dated:

\_\_\_\_\_  
United States District Judge