

**General Docket  
United States Court of Appeals for the Ninth Circuit**

**Court of Appeals Docket #:** 18-35443

**Docketed:** 05/25/2018

**Nature of Suit:** 2465 Other Immigration Actions

Concealy Mendez Rojas, et al v. Kirstjen Nielsen, et al

**Appeal From:** U.S. District Court for Western Washington, Seattle

**Fee Status:** USA - No Fee Req

**Case Type Information:**

- 1) civil
- 2) united states
- 3) null

**Originating Court Information:**

**District:** 0981-2 : [2:16-cv-01024-RSM](#)

**Trial Judge:** Ricardo S. Martinez, Chief District Judge

**Date Filed:** 06/30/2016

<b>Date Order/Judgment:</b>	<b>Date Order/Judgment EOD:</b>	<b>Date NOA Filed:</b>	<b>Date Rec'd COA:</b>
03/29/2018	03/29/2018	05/25/2018	05/25/2018

**Prior Cases:**

None

**Current Cases:**

None

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ROJAS

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others similarly situated  
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	[COR NTC Assist US Attorney] (see above)
KEVIN K. MCALEENAN, Commissioner of U.S. Customs and Border Protection, in his official capacity Defendant - Appellant,	Gladys Marta Steffens Guzman, Esquire, Trial Attorney [COR NTC Assist US Attorney] (see above)
	J. Max Weintraub, Trial Attorney Direct: 202-305-7551 [COR NTC Assist US Attorney] (see above)
JAMES MCHENRY, Director of the Executive Office for Immigration Review, in his official capacity Defendant - Appellant,	Gladys Marta Steffens Guzman, Esquire, Trial Attorney [COR NTC Assist US Attorney] (see above)
	J. Max Weintraub, Trial Attorney Direct: 202-305-7551 [COR NTC Assist US Attorney] (see above)

CONCELY DEL CARMEN MENDEZ ROJAS; ELMER GEOVANNI RODRIGUEZ ESCOBAR; LIDIA MARGARITA LOPEZ ORELLANA; MARIBEL SUAREZ GARCIA, on behalf of themselves as individuals and on behalf of others similarly situated,	
Plaintiffs - Appellees,	
v.	
KIRSTJEN NIELSEN, Secretary of Department of Homeland Security, in her official capacity; JEFFERSON B. SESSIONS III, Attorney General, Attorney General of the United States, in his official capacity; THOMAS D. HOMAN, Acting Director for the United States Immigration and Customs Enforcement, in his official capacity; L. FRANCIS CISSNA, Director of United States Customs and Immigration Services, in his official capacity; KEVIN K. MCALEENAN, Commissioner of U.S. Customs and Border Protection, in his official capacity; JAMES MCHENRY, Director of the Executive Office for Immigration Review, in his official capacity,	
Defendants - Appellants.	

05/25/2018	 0 pg, 0 KB	DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. SEND MQ: Yes. The schedule is set as follows: Mediation Questionnaire due on 06/01/2018. Appellants L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, James McHenry, Kirstjen Nielsen and Jefferson B. Sessions III, Attorney General opening brief due 07/24/2018. Appellees Lidia Margarita Lopez Orellana, Concely Del Carmen Mendez Rojas, Elmer Geovanni
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Rodriguez Escobar and Maribel Suarez Garcia answering brief due 08/23/2018. Appellant's optional reply brief is due 21 days after service of the answering brief. [10886496] (KM) [Entered: 05/25/2018 02:54 PM]

05/29/2018

[2](#)   
0 pg, 0 KB

Filed (ECF) Appellees Lidia Margarita Lopez Orellana, Concely Del Carmen Mendez Rojas, Elmer Geovanni Rodriguez Escobar and Maribel Suarez Garcia Mediation Questionnaire. Date of service: 05/29/2018. [10887833] [18-35443] (Adams, Matt) [Entered: 05/29/2018 12:27 PM]

05/30/2018

[3](#)   
0 pg, 0 KB

Filed (ECF) notice of appearance of Jacob Max Weintraub for Appellants L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, James McHenry, Kirstjen Nielsen and Jefferson B. Sessions, III. Date of service: 05/30/2018. [10888888] [18-35443] (Weintraub, J. Max) [Entered: 05/30/2018 08:27 AM]

05/30/2018

[4](#)   
0 pg, 0 KB

Filed (ECF) Appellants Thomas D. Homan, Kevin K. McAleenan, James McHenry, Kirstjen Nielsen and Jefferson B. Sessions, III Mediation Questionnaire. Date of service: 05/30/2018. [10889026] [18-35443] (Weintraub, J. Max) [Entered: 05/30/2018 09:24 AM]

06/01/2018

[5](#)  
2 pg, 201.54 KB

MEDIATION ORDER FILED: The Mediation Program of the 9th Circuit Court of Appeals facilitates settlement while appeals are pending. By 06/15/2018, counsel for all parties intending to file briefs in this matter are requested to inform the Circuit Mediator by email of their clients' views on whether the issues on appeal or the underlying dispute might be amenable to settlement presently or in the foreseeable future. This communication will be kept confidential, if requested... This communication should not be filed with the court... The existing briefing schedule remains in effect... [10893456] (LW) [Entered: 06/01/2018 01:03 PM]

07/05/2018

[6](#)  
1 pg, 182.69 KB

MEDIATION STATUS REPORT DUE - 07/12/2018. See order for details. [10932101] (LW) [Entered: 07/05/2018 12:18 PM]

07/26/2018

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Filed (ECF) Streamlined request for extension of time to file Opening Brief by Appellants L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, James McHenry, Kirstjen Nielsen and Jefferson B. Sessions, III. New requested due date is 08/27/2018. [10955872] [18-35443] (Weintraub, J. Max) [Entered: 07/26/2018 09:36 AM]

07/26/2018

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**Streamlined request [7] by Appellants L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, James McHenry, Kirstjen Nielsen and Jefferson B. Sessions, III to extend time to file the brief is approved in part (Streamlined requests are not**

**to exceed 30 days). Amended briefing schedule: Appellants L. Francis Cissna, Thomas D. Homan, Kevin K. McAleenan, James McHenry, Kirstjen Nielsen and Jefferson B. Sessions III, Attorney General opening brief due 08/23/2018. Appellees Lidia Margarita Lopez Orellana, Concely Del Carmen Mendez Rojas, Elmer Geovanni Rodriguez Escobar and Maribel Suarez Garcia answering brief due 09/24/2018. The optional reply brief is due 21 days from the date of service of the answering brief. [10956359] (Witt, Dusty) [Entered: 07/26/2018 01:44 PM]**

08/16/2018	<a href="#"><u>9</u></a> 1 pg, 183.29 KB	MEDIATION STATUS REPORT DUE - 08/24/2018. The briefing schedule previously set by the court is vacated. See order for details. [10979175] (LW) [Entered: 08/16/2018 11:58 AM]
08/27/2018	<a href="#"><u>10</u></a> 2 pg, 36.86 KB	Filed order MEDIATION (CG)The court will initiate a conference by telephone with counsel on October 10, 2018, at 11:00 a.m. Pacific Time. There will be an in-person settlement conference in this matter on October 17, 2018, at 9:00 a.m. Pacific Time at Ninth Circuit Mediation Office, William K. Nakamura United States Courthouse, 1010 Fifth Avenue, Seattle. [SEE COMPLETE ORDER] [10991068] (KM) [Entered: 08/27/2018 02:42 PM]
10/02/2018	<a href="#"><u>11</u></a>  0 pg, 0 KB	Filed Jose Ruben Juarez Ortiz motion to intervene. Deficiencies: None. Served on 09/28/2018. [11034323] (JFF) [Entered: 10/03/2018 02:57 PM]
10/19/2018	<a href="#"><u>12</u></a> 1 pg, 183.12 KB	MEDIATION STATUS REPORT DUE - 11/02/2018. See order for details. [11053603] (LW) [Entered: 10/19/2018 11:58 AM]
11/07/2018	<a href="#"><u>13</u></a> 1 pg, 183.53 KB	MEDIATION STATUS REPORT DUE - 11/21/2018. See order for details. [11075554] (LW) [Entered: 11/07/2018 02:58 PM]
11/27/2018	<a href="#"><u>14</u></a> 1 pg, 183.52 KB	MEDIATION STATUS REPORT DUE - 12/13/2018. See order for details. [11100359] (LW) [Entered: 11/27/2018 12:25 PM]
12/17/2018	<a href="#"><u>15</u></a> 1 pg, 183.38 KB	MEDIATION STATUS REPORT DUE - 01/09/2019. See order for details. [11122659] (LW) [Entered: 12/17/2018 01:17 PM]
01/08/2019	<a href="#"><u>16</u></a> 1 pg, 183.12 KB	MEDIATION STATUS REPORT DUE - 02/04/2019. See order for details. [11144720] (LW) [Entered: 01/08/2019 10:05 AM]
01/14/2019	17	Terminated Glenda Melinda Aldana Madrid for Maribel Suarez Garcia, Elmer Geovanni Rodriguez Escobar, Concely Del Carmen Mendez Rojas and Lidia Margarita Lopez Orellana in 18-35443 (Due to incorrect ECF account information). [11151200] (SLM) [Entered: 01/14/2019 09:35 AM]



02/06/2019	<a href="#">18</a> 1 pg, 185.08 KB	MEDIATION STATUS REPORT DUE - 03/04/2019. See order for details. [11181259] (LW) [Entered: 02/06/2019 01:26 PM]
02/13/2019	<a href="#">19</a> 1 pg, 195.01 KB	Filed order (Appellate Commissioner): The court has received the request filed by Jose Ruben Juarez Ortiz to be a class member of a subclass certified by the district court. Mr. Juarez Ortiz's class member status is an issue for the district court to decide in the first instance. Mr. Juarez Ortiz's request (Docket Entry No. <a href="#">11</a> ) is denied without prejudice to renewal before the district court. Briefing remains suspended. (MOATT) [11189556] (OC) [Entered: 02/13/2019 04:11 PM]
03/05/2019	<a href="#">20</a> 1 pg, 184.49 KB	MEDIATION STATUS REPORT DUE - 03/28/2019. See order for details. [11217038] (LW) [Entered: 03/05/2019 03:21 PM]
03/29/2019	<a href="#">21</a> 1 pg, 87.95 KB	MEDIATION STATUS REPORT DUE - 04/19/2019. See order for details. [11246618] (LW) [Entered: 03/29/2019 12:00 PM]
05/07/2019	<a href="#">22</a> 1 pg, 88.34 KB	MEDIATION STATUS REPORT DUE - 05/22/2019. See order for details. [11288789] (LW) [Entered: 05/07/2019 09:33 AM]
06/14/2019	<a href="#">23</a> 1 pg, 87.95 KB	MEDIATION STATUS REPORT DUE - 07/10/2019. See order for details. [11331310] (LW) [Entered: 06/14/2019 09:33 AM]
07/23/2019	<a href="#">24</a> 1 pg, 92.64 KB	MEDIATION STATUS REPORT DUE - 07/31/2019. See order for details. [11373580] (LW) [Entered: 07/23/2019 12:43 PM]
07/31/2019	<a href="#">25</a> 1 pg, 91.92 KB	MEDIATION STATUS REPORT DUE - 08/21/2019. See order for details. [11383299] (MS) [Entered: 07/31/2019 04:17 PM]
08/28/2019	<a href="#">26</a> 1 pg, 93.09 KB	MEDIATION STATUS REPORT DUE - 10/30/2019. See order for details. [11413166] (LW) [Entered: 08/28/2019 10:06 AM]
10/31/2019	<a href="#">27</a> 1 pg, 92.75 KB	MEDIATION ORDER FILED: By 12/04/2019, Appellants to file a motion or stipulation to dismiss, or contact the circuit mediator. See order for details. [11484643] (LW) [Entered: 10/31/2019 10:51 AM]