

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 21-5200

September Term, 2021

FILED ON: MARCH 4, 2022

NANCY GIMENA HUISHA-HUISHA, AND HER MINOR CHILD, ET AL.,
APPELLEES

v.

ALEJANDRO N. MAYORKAS, SECRETARY OF HOMELAND SECURITY, IN HIS OFFICIAL CAPACITY, ET
AL.,
APPELLANTS

Appeal from the United States District Court
for the District of Columbia
(No. 1:21-cv-00100)

Before: SRINIVASAN, *Chief Judge*, WILKINS and WALKER, *Circuit Judges*

J U D G M E N T

This cause came on to be heard on the record on appeal from the United States District Court for the District of Columbia and was argued by counsel. On consideration thereof, it is

ORDERED and **ADJUDGED** that the District Court's preliminary injunction be affirmed in part; the Executive may expel the Plaintiffs, but only to places where they will not be persecuted or tortured; and the case be remanded for further proceedings and ultimate resolution of the merits, including the Plaintiffs' claim that the § 265 Order is arbitrary and capricious, in accordance with the opinion of the court filed herein this date.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/

Daniel J. Reidy
Deputy Clerk

Date: March 4, 2022

Opinion for the court filed by Circuit Judge Walker.