

EXHIBIT 10

Immigrants File Class-Action Lawsuit to Stop ICE Courthouse Arrests

The detentions have become a relatively easy way for Immigration and Customs Enforcement agents to detain immigrants who are appearing for court dates.



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By Luis Ferré-Sadurní

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A coalition of legal groups representing immigrants filed a class-action lawsuit against the Trump administration on Wednesday, arguing that the federal government's campaign to arrest people at immigration courthouses so that they can be swiftly deported is unlawful and violates due process protections.

The lawsuit, filed by Democracy Forward and three other legal organizations on behalf of 12 immigrants, aims to stop the arrests at immigration courts, a contentious tactic that the Immigration and Customs Enforcement agency began using in May to increase deportations nationwide.

From New York to California, ICE agents have arrested immigrants appearing for routine proceedings at immigration courts, prompting criticism from Democrats and activists that ICE is unfairly targeting people who are following the rules by showing up to court. Federal agents, typically wearing masks, have become a mainstay in courthouse lobbies and hallways, where they have arrested scores of migrants who are leaving courtrooms and who are placed in expedited deportation proceedings that don't require hearings.

The lawsuit was filed in the Federal District Court for the District of Columbia against the Department of Justice, which oversees the immigration courts; the Department of Homeland Security; and ICE. Several officials at federal agencies also were sued.

The plaintiffs include 12 immigrants, identified only by pseudonyms, from Cuba, Ecuador, Guinea, Venezuela and elsewhere. Many had entered the country without authorization from 2021 to 2024 and had applied for asylum. They were arrested when they showed up at courthouses this year. Most are in detention — in New York, Pennsylvania and Texas — and fear persecution in their home countries, the lawsuit said.

One immigrant was deported to Ecuador less than a month after he was arrested in June.

“Noncitizens, including most of the individual plaintiffs here, have been abruptly ripped from their families, lives, homes and jobs for appearing in immigration court, a step required to enable them to proceed with their applications for permission to remain in this country,” the lawsuit says.

The courthouse arrests have become a relatively easy way for ICE to detain immigrants, as they show up for mandated court dates, without having to send agents to arrest people in their homes or workplaces, which requires more time and resources.

ICE has cast the practice as an easy way to quickly expel the millions of people who entered the country under former President Joseph R. Biden Jr. and to bypass backlogs in the courts, where deportation proceedings take years.

In a statement on Thursday, Tricia McLaughlin, a spokeswoman for the Department of Homeland Security, rejected the arguments made in the lawsuit, saying, “We aren’t some medieval kingdom, there are no legal sanctuaries where you can hide and avoid the consequences for breaking the law.”

“The ability of law enforcement to make arrests of criminal illegal aliens in courthouses is common sense,” she added. “It conserves valuable law enforcement resources because they already know where a target will be. It is also safer for our officers and the community.”

President Trump has expanded the use of expedited-removal proceedings — which don’t require hearings and were used previously only for people apprehended within 100 miles of the border — to swiftly deport people elsewhere in the country.

The new tactic, which broke with a longstanding practice in which ICE stayed away from the courts, has led to close collaboration between agents and prosecutors from the agency who pursue cases against immigrants accused of illegally entering the country. Migrants are entitled to mount a defense and to apply for asylum if they fear returning to their home countries.

But ICE prosecutors have surprised some immigrants by asking judges to dismiss their cases when they show up, a legal maneuver that allows ICE agents waiting outside courtrooms to arrest the migrants and place them in deportation proceedings without hearings.

The lawsuit argues that this recently adopted practice violates federal immigration laws and the Constitution. ICE has also arrested migrants even when judges have not dismissed their cases, the lawsuit argues.

The suit argues that the new tactic is deterring people from showing up for appointments at immigration courts, which differ from criminal courts and are where judges typically decide whether undocumented immigrants can remain in the country.

“The Trump-Vance administration is weaponizing immigration courts by threatening people who follow the law and appear for their hearings as directed by the court,” said Skye Perryman, the president and chief executive of Democracy Forward.

Democracy Forward, a liberal-leaning group that has taken dozens of legal actions against the Trump administration, filed the lawsuit with the National Immigrant Justice Center, the Refugee and Immigrant Center for Education and Legal Services and the Lawyers' Committee for Civil Rights of the San Francisco Bay Area.

The arrests at New York City's three immigration courts have emerged as a reliable pipeline for ICE to round up dozens of migrants every day — and as a political flashpoint. Democratic officials have shown up to demand access to holding cells that migrants say are overcrowded and to denounce the court detentions. Brad Lander, the city comptroller, was arrested in June as he tried to escort a migrant whom agents were seeking to arrest.

When Carlos Javier Lopez Benitez, an asylum seeker from Paraguay, exited a Manhattan courtroom on Wednesday, federal agents were waiting to take him away.
Todd Heisler/The New York Times

On Wednesday, Mr. Lander accompanied the family of a man from Paraguay, Carlos Javier Lopez Benitez, to his asylum application hearing in Manhattan. Mr. Lopez Benitez's sister, a U.S. citizen, had encouraged him to show up despite

reports that ICE agents were making arrests at courthouses. She had become a citizen and hoped that one day he could as well.

During the hearing, the immigration judge gave Mr. Lopez Benitez a court date for 2029 so that he could collect additional information related to claims that he faced threats of torture in Paraguay.

But when Mr. Lopez Benitez exited the courtroom, he was whisked into a stairwell by federal agents who had been waiting for him. His sister clung to his arm as federal law enforcement officials clawed away her grip and threw her into a gaggle of onlookers.

In a news conference after the arrest of Mr. Lopez Benitez, Mr. Lander characterized the proceedings as having the “trappings of a judicial hearing” but effectively amounting to “just a trap to have them come in the first place.”

“Carlos not only has status as an asylum seeker, not only has an application pending for asylum, Carlos has a court date in this building in July of 2029,” Mr. Lander said. “Unfortunately, Carlos is going to have a hard time complying with the judge’s order because he was just abducted by ICE agents.”

Wesley Parnell contributed reporting.

Luis Ferré-Sadurní is a Times reporter covering immigration, focused on the influx of migrants arriving in the New York region.

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