

26-426 DEPT. OF HOMELAND SECURITY V. D.V.D.

DECISION BELOW:

LOWER COURT CASE NUMBER: 26-1212

QUESTION PRESENTED:

Order of September 29, 2026:

The application is also treated as a petition for a writ of certiorari, and the petition is granted (case No. 26-426). The parties are directed to brief and argue the following questions: (1) Whether the district court had jurisdiction over Respondents' claims. (2) Whether the district court had authority to enter classwide declaratory relief and APA vacatur under 8 U. S. C. §1252(f)(1). (3) Whether the Government's Guidance on third-country removals is unlawful under 8 U. S. C. §1231(b), the Due Process Clause, or FARRA/CAT and its implementing regulations. (4) Such other questions that the Government determines are appropriate for the proper disposition of the case. The Clerk is directed to establish a briefing schedule that will allow the case to be argued in the December 2026 argument session.

CERT. GRANTED 9/29/2026