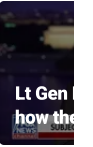
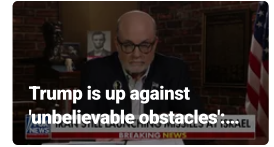


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By **Jasmine Baehr** · Fox News

Published August 31, 2025 6:48pm EDT



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or guardians in Guatemala.

By the time the judge intervened, charter buses had already rolled up to planes in Harlingen and El Paso and, in some cases, children were seated on board awaiting departure.

Justice Department lawyer Drew Ensign told the court, "These are not removals under the statute. These are repatriations. All of these children have parents or guardians in Guatemala who have requested their return."

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A relative of an unaccompanied minor deported from the United States reviews the list of those deported outside La Aurora International Airport, in Guatemala City, on Sunday, Aug. 31, 2025. (AP Photo/Moises Castillo)

Advocacy groups rejected that explanation, with the [National Immigration Law Center's \(NILC\)](#) Efrén Olivares firing back that "it is a dark and dangerous moment when our government chooses to target orphaned 10-year-olds."

The lawsuit, *LGML v. Noem*, was filed just after 1 a.m. Sunday, accusing the Trump administration of skirting a 2008 law that immigrant-rights groups often cite to shield minors from removal.

Named as defendants were Attorney General Pam Bondi, [Homeland Security Secretary Kristi Noem](#), Health and Human Services Secretary Robert F. Kennedy Jr. and Secretary of State Marco Rubio.

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The lead plaintiff was a 10-year-old girl identified only by her initials whose mother had died in Guatemala. Judge Sooknanan scolded the Trump administration over the timing, saying during the emergency hearing: "I have the government attempting to remove minor children from the country in the wee hours of the morning on a holiday weekend, which is surprising, but here we are."

The Trump administration insists the flights were lawful reunifications negotiated with Guatemala's government, while advocacy groups argue the kids are being rushed out without hearings or the chance to pursue asylum.



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People wait for loved ones from Guatemala deported from the United States outside La Aurora International Airport, in Guatemala City, Sunday, Aug. 31, 2025. (AP Photo/Moises Castillo)

Guatemala's foreign minister confirmed the country is ready to take the children, with President Bernardo Arévalo calling it a "moral and legal obligation."

Unaccompanied children who arrive illegally in the United States are often handed over to the HHS' Office of Refugee Resettlement (ORR) while their immigration cases are prepared. Those from Guatemala often request asylum to stay in America.

For now, hundreds of Guatemalan minors remain in the U.S. while the legal battle plays out. According to [The Associated Press](#), family members of many of the migrants had gathered at airports across the Central American nation in anticipation of their arrival.

The entire emergency motion can be [read here](#).

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The DOJ, HHS, ICE, the State Department, NILC, and the Guatemalan Embassy did not immediately return Fox News Digital's request for comment.

The Associated Press contributed to this report.

Jasmine Baehr is a Breaking News Writer for Fox News Digital, where she covers politics, the military, faith and culture.

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