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Judge Blocks Deportation of Hundreds of Unaccompanied Children as Flights Were Ready to Take Off

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A woman and children walk past federal agents patrolling as they hallways of immigration court after leaving a hearing at the Jacob K. Javitz Federal Building on August 08, 2025 in New York City. Michael M. Santiago—2025 Getty Images

by **Rebecca Schneid**
REPORTER

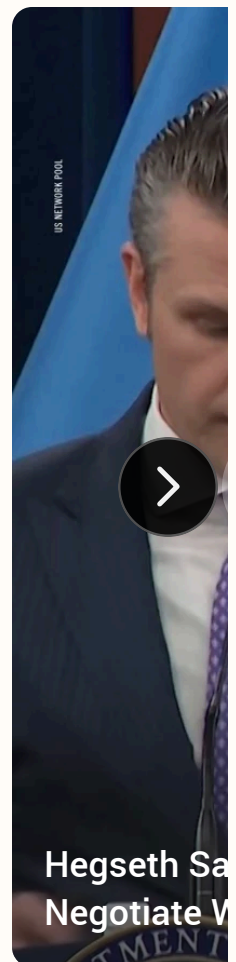
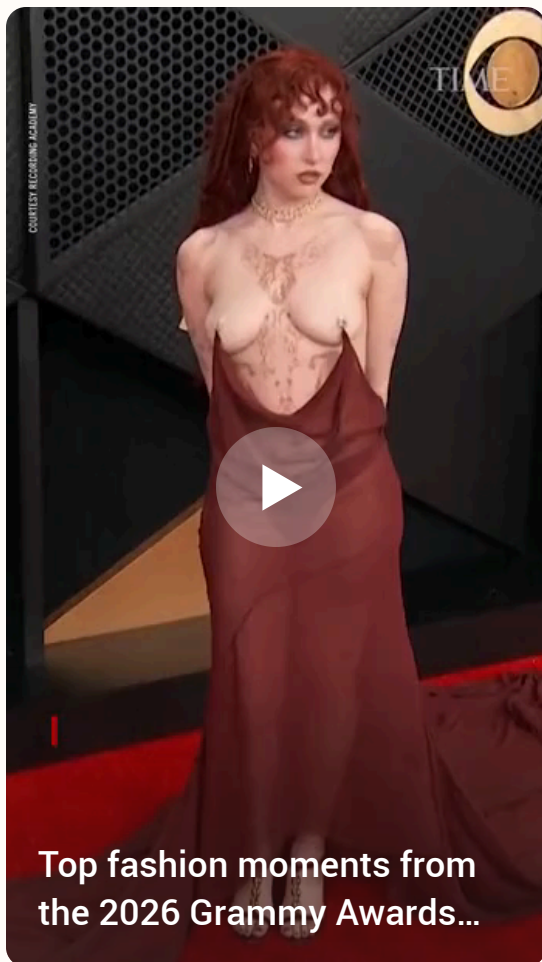
AUG 31, 2025 6:41 PM CUT

A federal judge temporarily blocked the Trump Administration from deporting hundreds of unaccompanied children back to their home country of Guatemala, just as some of the children were boarded on planes and ready to depart.

The last-minute order wrapped up a frenetic legal battle that began in the early hours of Sunday morning, when immigration advocacy groups filed an emergency lawsuit after discovering shelters holding unaccompanied children were abruptly told to prepare them for deportation within two hours.

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District Judge Sparkle Sooknanan issued a temporary block on the deportations at 4 a.m. and called a hearing for Sunday afternoon. That hearing was moved forward when she heard the deportations were already underway, and the judge issued a temporary restraining order blocking deny deportations for 14 days.

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"I do not want there to be any ambiguity about what I am ordering," Judge Sooknanan said, adding that the government "cannot remove any children" while the case is ongoing.

The judge ordered the children to be taken off the planes and made clear that her ruling applies to all Guatemalan minors who arrived in the U.S. without their parents or guardians.

Some children were taken off planes as they were waiting to take off on the tarmac. A government lawyer said in the hearing that one plane had taken off, but later came back when the order was issued.

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In their lawsuit, lawyers from the [National Immigrant Law Center](#) (NILC) said the children—who are in the custody of the Office of Refugee Resettlement (ORR)—were due to be handed over to Immigration and Customs Enforcement (ICE) and deported to Guatemala on Sunday.

The ORR sent memos to shelters holding the children on Saturday telling them to "take proactive measures to ensure [unaccompanied children] are prepared for discharge within 2 hours of receiving this notification." The memo called for the shelters to "have two prepared sack lunches" and one suitcase per child.

The NILC attorneys said in the lawsuit that they were filing on behalf of "hundreds of Guatemalan children at imminent risk of unlawful removal from the United States," aged between 10 and 17 years.

The lawsuit said the estimated 600 children had "active proceedings before immigration courts across the country," and removing them from the country violated the Trafficking Victims Protection Reauthorization Act of 2008, the Immigration and Nationality Act, and the Constitution.

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“All unaccompanied children — regardless of the circumstances of their arrival to the United States — receive the benefit of full immigration proceedings, including a hearing on claims for relief before an immigration judge,” the attorneys wrote in the lawsuit.

“Congress provided even further procedural protection to unaccompanied minors in removal proceedings by mandating that their claims for asylum be heard in the first instance before an asylum officer in a non-adversarial setting rather than in an adversarial courtroom setting,” they added.

Judge Sooknanan granted the plaintiffs' request for a restraining order to block the deportations early Saturday morning “to maintain the status quo until a hearing can be set.”

At the hearing on Sunday, lawyers for the U.S. government insisted that the children were being repatriated with their parents. Justice Department attorney Drew Ensign said it was “outrageous that the plaintiffs are trying to interfere with these reunifications.”

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That claim was contested by the immigration advocacy groups and attorneys for some of the children, who said at least some of the children said they did not want to return and some faced danger back in Guatemala.

“I have conflicting narratives from both sides here,” Sooknanan said.

“Absent action by the courts, all of those children would have been returned to Guatemala, potentially to very dangerous situations,” she added.

Ensign told Judge Sooknanan the deportations were underway when the order was issued and that he believed one plane had taken off, but had come back.

Minutes after the hearing ended, the Associated Press reported that five charter buses pulled up to a plane parked at an airport near the border in Harlingen, Texas, where deportation flights are known to depart from.

Efrén C. Olivares, vice president of litigation and legal strategy at the National Immigration Law Center, said the deportations could have caused the children “irreparable harm.”

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“In the dead of night on a holiday weekend, the Trump administration ripped vulnerable, frightened children from their beds and attempted to return them to danger in Guatemala,” he said in a statement following the ruling.

“We are heartened the Court prevented this injustice from occurring before hundreds of children suffered irreparable harm. We are determined to continue fighting to protect the interest of our plaintiffs and all class members until the effort is enjoined permanently,” he added.

The ORR, which lies within the U.S. Department of Health and Human Services (HHS), said the deportations were the result of an agreement between the U.S. and Guatemala. Attorneys representing the children were sent memos informing them that the “Government of Guatemala has requested the return of certain unaccompanied alien children in federal custody for the purposes of reunifying the UAC with suitable family members.”

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“This communication is provided as advance notice that removal proceedings may be dismissed to support the prompt repatriation of the child,” the memo, which was reviewed by TIME, said.

White House Deputy Chief of Staff Stephen Miller criticized Sooknanan for blocking the deportations.

“The minors have all self-reported that their parents are back home in Guatemala. But a Democrat judge is refusing to let them reunify with their parents,” he wrote on X.

The Department of Health and Human Services did not respond to a request for comment.
ICE did not respond to a request for comment.

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