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'Unquestionably in violation': Judge says US government didn't follow court order on deportations

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WASHINGTON (AP) — The White House violated a court order on deportations to third countries with a flight linked to the chaotic African nation of [South Sudan](#), a federal judge said Wednesday, hours after the Trump administration said it had expelled eight immigrants convicted of violent crimes but refused to reveal where they would end up. The judge's statement was a notably strong rebuke to the government's deportation efforts.

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In an emergency hearing he called to address reports that immigrants had been sent to South Sudan, Judge Brian E. Murphy in Boston said the eight migrants aboard the plane were not given a meaningful opportunity to object that the deportation could put them in danger. Minutes before the hearing, administration officials accused “activist judges” of advocating the release of dangerous criminals.

“The department actions in this case are unquestionably in violation of this court’s order,” Murphy said Wednesday, arguing that the deportees didn’t have “meaningful opportunity” to object to being sent to South Sudan. The group was flown out of the United States just hours after getting notice, leaving them no chance to contact lawyers who could object in court.



Immigration Deportations South Sudan
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Government attorneys argued that the men had a history with the immigration system, giving them prior opportunities to express a fear of being deported to a country outside their homeland. They also pointed out that the judge had not specified the exact time needed between notice and deportation, leaving room for misunderstanding.

The government calls the deported people ‘true national security threats’



Immigration Deportations South Sudan
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The migrants' home countries — Cuba, Laos, Mexico, Myanmar, Vietnam and South Sudan — would not take them back, according to Todd Lyons, the acting director of Immigration and Customs Enforcement, who spoke to reporters in Washington. He later said the migrants either came from countries that often do not take back all their deported citizens or had other situations that meant they could not be sent home.



US Immigration Deportations South Sudan


"These represent the true national security threats," Lyons said at a news conference. Behind him was a display of photos of men he said had been convicted of rape, homicide, armed robbery and other crimes.

Administration officials, who have repeatedly clashed with the courts over their attempts to deport large numbers of immigrants, made their displeasure clear Wednesday.

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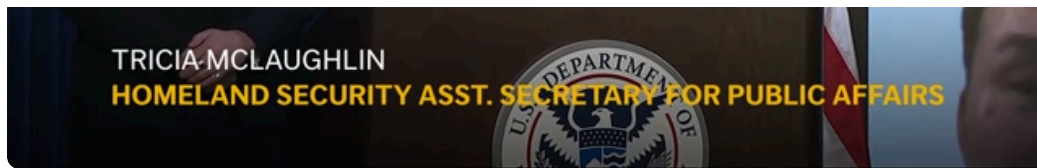


President Donald Trump and Homeland Security Secretary Kristi Noem "are working every single day to get these vicious criminals off of American streets — and while activist judges are on the other side, fighting to get them back onto the United States soil," said Tricia McLaughlin, a department spokesperson. She pointed to the photographs and described them as "the monsters" that Murphy "is trying to protect."

Homeland Security officials released few specific details about the deportation flight. They said it left Tuesday with eight people on board and said they remained in the department's custody Wednesday. Officials said they could not disclose the migrants' final destination because of "safety and operational security."

AP The Associated Press

**After reports of deportations to South Sudan, US says
it's removed 8 people convicted of crimes**



The case comes amid a sweeping immigration crackdown by the Republican administration, which has pledged to deport millions of people who are living in the United States illegally. The legal fight is the latest flashpoint as the administration rails against judges whose rulings have slowed the president's policies.

AP The Associated Press

South Sudan residents react to reports that the US might be sending deportees there



Lawsuits on immigration issues are everywhere

With Congress largely silent or supportive, opponents of Trump's agenda have filed hundreds of lawsuits and judges have issued dozens of orders against the administration. Immigration has been the most contentious issue. There was the [mistaken deportation of an immigrant who was living in Maryland](#) to a prison in El Salvador, as well as Trump's push to swiftly deport alleged Venezuelan gang members without a court review.

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The administration officials insisted that the deported men had received due process, but did not provide details. Immigration-rights attorneys argue they violated Murphy's order, [first handed down in March](#), that says people must have a chance to argue that going somewhere outside their homeland would put them in danger before being deported, even if they've otherwise exhausted their legal appeals.

"The government is still refusing to provide due process to our clients, which means they are not giving them notice of the country to which they're being deported, proper notice in a language that they understand, and not giving them a meaningful opportunity to claim fear based on those countries," Trina Realmuto, the executive director of the National Immigration Litigation Alliance, said outside court.

"These are countries that the State Department doesn't want Americans to travel to. They are categorically not safe," she added.

In court, Realmuto asked the judge to return the individuals to the United States. "They are no less deserving of protection than any other human beings on this planet," she said.

The government argued the interviews with the men over their fears could be done where they are currently being held and confirmed with Murphy that they can be arranged. Realmuto called this a "logistical nightmare" that penalizes the men because the government violated the judge's order. She said it would prove a challenge to get the men legal counsel and interpreters, an effort complicated by the time difference.

Murphy, who raised the prospect of criminal contempt for anyone "involved in an illegal deportation," later Wednesday ordered the

government conduct a new set of interviews with the migrants if an appropriate place with appropriate privacy can be found. He said the government was welcome to bring the migrants back, but did not order they do so.

On Twitter late Wednesday, DHS' McLaughlin called the order "deranged."

The countries of origin vary

Attorneys for the immigrants told the judge that immigration authorities may have sent as many as a dozen people from several countries to Africa.

The apparent removal of one man from the troubled Southeast Asian nation of Myanmar was confirmed in an email from an immigration official in Texas, according to court documents. He was informed only in English, a language he does not speak well, and his lawyers learned of the plan hours before his deportation flight, they said.

A woman also reported that her husband from Vietnam and up to 10 other people were flown to Africa on Tuesday morning, attorneys from the National Immigration Litigation Alliance wrote.

Murphy, who was nominated by Democratic President Joe Biden, [previously found](#) that any plans to deport people to Libya without notice would "clearly" violate his ruling.

South Sudan says it's unaware of any arrivals

South Sudan's police spokesperson, Maj. Gen. James Monday Enoka, told The Associated Press on Wednesday that no migrants had arrived in the country and that if they do, they would be investigated and "redeployed to their correct country" if found not to be South Sudanese.

Edmund Yakani, executive director of the South Sudanese group Community Empowerment for Progress Organization, questioned why people convicted of crimes in the United States would be sent there. “Is South Sudan a land of less human who deserve to receive perpetrators of human rights violations? Without any public explanation?” he asked.

Some countries do not accept deportations from the United States. That has led the administration to strike agreements with other countries, including Panama, to house them. The U.S. has sent Venezuelans to a [notorious](#) prison in El Salvador under an [18th-century wartime law](#), an action being contested in the courts.

South Sudan has endured repeated waves of violence since gaining independence from Sudan in 2011 amid hopes it could use its large oil reserves to bring prosperity to a region long battered by poverty. Just weeks ago, the country’s top U.N. official warned that fighting between forces loyal to the president and a vice president threatened to spiral again into full-scale civil war.

The State Department’s annual report on South Sudan, published in April 2024, says “significant human rights issues” include arbitrary killings, disappearances, torture or inhumane treatment by security forces and extensive violence based on gender and sexual identity.

The Homeland Security Department has given Temporary Protected Status to a small number of South Sudanese already living in the United States, shielding them from deportation because conditions were deemed unsafe for return. Noem recently extended those protections to November to allow for a more thorough review.

The U.S is one of the biggest donors to South Sudan’s humanitarian aid programs, with the total funding in 2024 standing at over \$640 million.

Casey reported from Boston and Sullivan from Minneapolis. Elliot Spagat in San Diego and Khaled Kazziha in Nairobi contributed to this report.