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Judge says 2-year-old US citizen appears to have been deported with 'no meaningful process'

The girl was deported Friday with her mother to Honduras, despite her father's efforts to keep her in the United States.



The child had been with her mother and sister during a regular immigration check-in at the New Orleans office of Immigration and Customs Enforcement on Tuesday. | David Dee Delgado/Getty Images

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A federal judge is raising alarms that the Trump administration deported a two-year-old U.S. citizen to Honduras with “no meaningful process,” even as the child’s father was frantically [petitioning the courts](#) to keep her in the country.

U.S. District Judge Terry Doughty, a Trump appointee, said the child — identified in court papers by the initials “V.M.L.” — appeared to have been released in Honduras earlier Friday, along with her Honduran-born mother and sister, who had been detained by immigration officials earlier in the week.

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The judge on Friday scheduled a hearing for May 16, which he said was “in the interest of dispelling our strong suspicion that the Government just deported a U.S. citizen with no meaningful process.”

The child, whose redacted U.S. birth certificate was filed in court and showed she was born in New Orleans in 2023, had been with her mother and sister during a regular immigration check-in at the New Orleans office of Immigration and Customs Enforcement on Tuesday. Officials there detained them and queued them up for deportation.

Trump administration officials said in court that the mother told ICE officials that she wished to take V.M.L. with her to Honduras. The filing included a handwritten note in Spanish they claimed was written by the mother and confirmed her intent. But the judge said he had hoped to verify that information.

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“The Government contends that this is all okay because the mother wishes that the child be deported with her,” Doughty wrote. “But the Court doesn’t *know* that.”

“This parent made the decision to take the child with them to Honduras. It is common that parents want to be removed with their children,” Assistant DHS Secretary Tricia McLaughlin said in a statement. “Parents are asked if they want to be removed with their children or ICE will place the children with someone the parent designates. In this case, the parent stated they wanted to be removed with the children.”

“We take our responsibility to protect children seriously and will continue to work with federal law enforcement to ensure that children are safe and protected,” she added.

The court battle ignited Thursday, when lawyers for the family filed an emergency petition in the Western District of Louisiana seeking V.M.L.’s immediate release from ICE custody and a declaration that the girl’s detention had been unlawful. The petition was filed under the name of Trish Mack, who the lawyers indicated had been asked by V.M.L.’s father to act as the child’s custodian and take her home from ICE custody.

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Lawyers for the guardian told the court that V.M.L.'s father had been attempting to contact the girl's mother to discuss plans for their child but ICE officials denied him the chance to have a substantive phone call. He says ICE allowed the two to speak for about one minute on Tuesday, while the mother was in ICE custody, but that they were unable to make any meaningful decisions about their child.

As a U.S. citizen, V.M.L. is likely to have the ability to return to the United States, setting her case apart from others that have drawn national attention in recent weeks, such as [the case of Kilmar Abrego Garcia](#). The Salvadoran native was deported to a prison in his home country in violation of a 2019 immigration court order. But the Louisiana case is the latest concern by the courts that the Trump administration's rush to carry out deportations is violating due process rights — in this case, the rights of a U.S. citizen child.

Doughty said he attempted to investigate the emergency matter himself on Friday, seeking to get V.M.L.'s mother on the phone to determine whether ICE's representation about her desire to bring V.M.L. to Honduras was accurate. The judge said he was "independently aware" that the plane he believed was carrying the family was already "above the Gulf of America."

Trump administration lawyers called the judge back Friday afternoon and said a phone call with the mother would not be possible "because she (and presumably VML) had just been released in Honduras," Doughty wrote. Doughty then scheduled the May hearing.

Doughty is based in Monroe, Louisiana, about 100 miles north of the staging facility in Alexandria where lawyers who filed the petition said they believed the mother and her daughters were being held prior to their deportation.

Doughty's sharp criticism of the Trump administration is particularly notable because he issued a series of major decisions in favor of Trump and his allies in recent years, most notably backing conservatives in [legal challenges to the Biden administration's efforts](#) to rein in what it claimed was misinformation on social media platforms about vaccines and certain politically charged topics.

Indeed, some conservatives considered Doughty so likely to be in their camp that they filed lawsuits in his judicial division in order to have a strong chance the cases would be assigned to him.

Even as Doughty made clear that he was disturbed by the government's actions, in his order Friday the judge seemed to tip his hat to the president, adopting the term "Gulf of America" for the body of water traditionally known as the Gulf of Mexico.

The Justice Department did not respond to a request for comment.

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