

B.I.A.
11-1252-ag

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 8th day of October, two thousand fourteen.

Present:

Raymond J. Lohier, Jr.,
Susan L. Carney,
Circuit Judges,
Jed S. Rakoff,*
District Judge.

Luis Ramon Morales-Santana, AKA Luis Morales,

Petitioner,

v.

11-1252-ag

Eric H. Holder, Jr., United States Attorney General,

Respondent.

Each party is directed to file a supplemental letter brief regarding the following issues:

- (1) Whether Congress had, as an actual legislative purpose for enacting Sections 301 and 309 of the Immigration and Nationality Act of 1952, the goal of providing against the separation of mothers from their children. See Kristin A. Collins, *Illegitimate Borders: Jus Sanguinis Citizenship and the Legal Construction of Family, Race, and Nation*, 123 Yale L.J. 2134, 2202-06 (2014).
- (2) If so, whether the provisions survive scrutiny under the equal protection guarantee of the Fifth Amendment.

* The Honorable Jed S. Rakoff, of the United States District Court for the Southern District of New York, sitting by designation.

The parties shall file their letter briefs on or before October 20, 2014. Briefs shall not exceed 15 double-spaced pages in length. Each brief should contain an appendix of historical materials referenced therein. If any such material is not readily available, the party citing that material shall submit a complete copy of such material with its brief.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk

A handwritten signature in black ink that reads "Catherine O'Hagan Wolfe". The signature is written in a cursive style. A circular official seal of the United States Court of Appeals for the Second Circuit is stamped over the middle of the signature. The seal contains the text "UNITED STATES", "SECOND CIRCUIT", and "COURT OF APPEALS" around its perimeter.