



Written by [R. Cort Kirkwood](#) on March 8, 2022

Federal Judge to Biden: Illegal-alien Minors Cannot Be Released

A federal judge has ordered President Biden to stop releasing “unaccompanied minors” by exempting them from Title 42 of U.S. immigration law, which permits the government to immediately expel illegal aliens for health reasons.

Acting on a lawsuit filed by Texas, U.S. District Judge [Mark T. Pittman](#) of the Northern District of Texas enjoined the policy of exempting those minors on the grounds that Biden acted “arbitrarily” to frustrate a policy aimed at stopping the spread of the China Virus.



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Biden’s reason, of course, is to deluge the country with illegals he wants to make citizens — and future Democrat voters.

Huge win against Biden! Along w [@America1stLegal](#) & [@IRLILaw](#), I sued the Admin for failing to use Title 42, contrib to massive wave of smuggling. Fed court just BLOCKED Biden from excepting alien minors from the Title 42 process. Win for Texas & children—loss for Biden & cartels!

— Attorney General Ken Paxton (@KenPaxtonTX) [March 5, 2022](#)

The Order

In October 2020, the Centers for Disease Control and Prevention (CDC) enacted a policy, [pursuant to Title 42](#), to keep potentially COVID-positive illegals out of the country, Pittman noted.

In February 2021, Biden’s new CDC spear-carriers exempted so-called unaccompanied minors (UACs) from expulsion.

“There was a dramatic surge of illegal border crossings following the February 2021 Order, with 9,429 UAC encounters at the southwest border in February of 2021,” [Pittman wrote](#):

The number of UAC encounters increased to 18,890 in March and has remained elevated ever since: more than 17,000 encounters in April; more than 14,000 in May; more than 15,000 in June; more than 18,500 in July; more than 18,000 in August; more than 12,000 in October; more than 13,500 in November; more than 11,500 in December; and more than 8,500 in January 2022.

There followed other such orders. Texas sued.

Noting that “Texas is a border state facing a healthcare crisis that is compounded by an immigration crisis,” Pittman wrote that Biden’s CDC ordered changes to the Trump-era Title 42 policy that were



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“arbitrary or capricious” violations of the Administrative Procedures Act. APA governs how agencies make and enforce federal rules and regulations.

The U.S. Supreme Court “aptly observed that the political nature of immigration generally removes it from the ambit of judicial oversight,” [Pittman further explained](#), but that notion “harkens back to a quaint age when our republican form of government included a legislature that legislated. And based on how they legislated, those members would then be held accountable by their constituents each election cycle.”

Now though, [Pittman explained](#), unaccountable federal bureaucrats write the rules:

But for better or worse, these decisions are now decided by individuals within the administrative state with no political accountability. And because these administrative decisions are housed in the Executive Branch, all roads — for better or worse — lead back to the President of the United States. Here, the President has (arbitrarily) excepted COVID-19 positive unaccompanied alien children from Title 42 procedures — which were purposed with preventing the spread of COVID-19. As a result, border states such as Texas now uniquely bear the brunt of the ramifications. Yet, while policy decisions are beyond judicial review, those agency actions that are “arbitrary, capricious, ... or otherwise not in accordance with law” will be set aside.

Thus, Pittman enjoined Biden and his open-borders mafia from continuing to release illegal-alien “unaccompanied minors” who might carry the virus into unsuspecting communities.

“This is a truly historic victory, but we have a long, long, long way to go to end the Administration’s crusade to eradicate our sovereignty,” former Trump aide Stephen [Miller said](#).

BREAKING: Big Victory. America First Legal & the amazing [@KenPaxtonTX](#) have won a Preliminary Injunction BLOCKING Biden’s radical edict categorically exempting illegal minors from Title 42 removal. Biden’s order exempting UACs from removal is now ENJOINED.<https://t.co/6lpTUNrChu>

— Stephen Miller (@StephenM) [March 5, 2022](#)

Latest Numbers

The [latest numbers](#) from the border are mind-boggling:

- Border agents have stopped or apprehended almost 700,000 illegals since October 1, the start of fiscal 2022.
- Some 220,000 illegals slipped past border agents during the same time.
- Biden has released almost 270,000 illegals into the heartland, again, during that same four months.
- Since Biden’s first full month in office, border agents have stopped or encountered more than 2.1 million illegals.

Pursuant to a court order in another lawsuit filed by Texas, Biden must provide monthly numbers that show how many illegals he and his subalterns release.

Biden’s policies are purposeful, not a sign of “incompetence.” His Homeland Security chief, Alejandro



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Mayorkas, an [unindicted visa fraudster](#), [has repeatedly bragged](#) that he will not enforce immigration law.

H/T: [Breitbart](#)



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