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8
9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**

11 D.E.M.,

12
13 Petitioner,

14 v.

15 CHRISTOPHER J. LAROSE, Warden,
16 Otay Mesa Detention Center; GREGORY
17 J. ARCHAMBEAULT, San Diego Field
Office Director; TODD M. LYONS,
18 Acting Director of U.S. Immigration and
19 Customs Enforcement; KRISTI NOEM,
20 Secretary of the U.S. Department of
Homeland Security,

21 Respondents.
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Case No.: 25-cv-02521-CAB-AHG

**JOINT MOTION TO DISMISS
PETITIONER'S MOTION FOR
TEMPORARY RESTRAINING
ORDER AS MOOT**

Petitioner and Respondents (collectively, the “Parties”) hereby jointly move the Court to dismiss as moot the pending motion for temporary restraining order based on the following stipulations.

1. Petitioner was released from Immigration and Customs Enforcement (ICE) custody on bond on September 29, 2025.

2. Respondents agree not to re-detain Petitioner pending the appeal of the Immigration Judge's bond determination, so long as he enrolls in, participates in, and complies with ICE's Alternatives to Detention program.

Based on the foregoing stipulations, the Parties move the Court to dismiss the motion for temporary restraining order as moot and issue a briefing schedule on the habeas petition that is commensurate with the present circumstances of this case.

Respectfully submitted,

DATED: October 2, 2025

s/ Kelly Gregg
KELLY GREGG

s/ Nicholas C. Borkowski
NICHOLAS C. BORKOWSKI

Attorneys for Petitioner

DATED: October 2, 2025

ADAM GORDON
United States Attorney

s/ Kim A. C. Gregg
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