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10 UNITED STATES DISTRICT COURT
11
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

13 Bayron Rovidio Marin,

14 Petitioner,

15 v.

16 Kristi Noem, *et al.*,

17 Respondents.

No. 2:25-cv-09343-CV-SSC

**RESPONDENTS' REPORT ON
PETITIONER'S RELEASE:
SUGGESTIONS OF MOOTNESS**

Honorable Cynthia Valenzuela
United States District Judge

1 Pursuant to the Court's October 4, 2025 Order [Dkt. 9], the Respondents hereby
2 respectfully provide this report on Petitioner's release from ICE custody, and further
3 suggest that the case should now either be voluntarily dismissed by the Petitioner or else
4 dismissed as moot by the Court.

5 As shown by the Declaration of Marco A. Vela Jr. ("Vela Decl."), consistent with
6 the Court's October 4, 2025 temporary restraining order, all guards and security
7 personnel in or near the Petitioner's hospital room at Harbor-UCLA Medical Center
8 were removed. *See* Vela Decl. ¶ 3. Petitioner has been released from ICE custody. *See*
9 *id.* ¶ 4.

10 Releasing Petitioner moots the requested preliminary injunction and this habeas
11 petition more generally. A habeas petition is moot when the petitioner "seeks relief [that]
12 cannot be redressed by a favorable decision of the court issuing a writ of habeas corpus."
13 *See Say Yan Baola v. Kelly*, 2017 WL 8230027, at *1 (C.D. Cal. July 14, 2017) (quoting
14 *Burnett v. Lampert*, 432 F.3d 996, 1000-01 (9th Cir. 2005)). Petitioner's habeas petition
15 seeks release from ICE custody, including the removal of the guards and security
16 personnel in or near Petitioner's hospital room at Harbor-UCLA Medical Center. *See*
17 Dkt. at 20 ("Petition"). Since this has been done, the Petition is moot. *See Picrin-Peron*
18 *v. Rison*, 930 F.2d 773, 776 (9th Cir. 1991) ("By his petition for habeas corpus, Picrin-
19 Peron has requested only release from custody. Because he has been released, there is no
20 further relief we can provide."). *See also* the case filed by Petitioners' counsel as *Javier*
21 *Gonzales et al. v. Kristi Noem et al.*, 5:25-cv-02054-ODW-BFM, Dkt. no. 16 (August
22 25, 2025 minute order by Hon. Judge Wright, denying as moot the petitioners' pending
23 request for a preliminary injunction given their receipt pursuant to a TRO of 1226(a)
24 bond hearings and issuing the petitioners an order to show cause re: dismissal); Dkt. no.
25 17 (notice of voluntary dismissal); and Dkt. no. 18 (order dismissing petition). *See also*
26 *Moises Salomon Zaragoza Mosqueda v. Kristi Noem et al.*, 5:25-cv-002304-CAS-BFM,
27 Dkt. no. 15 (September 17, 2025 minute order by Hon. Judge Snyder, denying
28 preliminary injunction and issuing OSC re dismissal for mootness given the petitioners'

1 receipt of immigration bond hearings); and Dkt. no. 16 (notice of voluntary dismissal).

2 Accordingly, Respondents respectfully request that the Petitioner voluntarily
3 dismiss this action, or that the Court issue an order to show cause re: dismissal.

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5 Dated: October 8, 2025

Respectfully submitted,

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