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

12 HOMERO GARCIA,

13 Petitioner,

14 v.

15 KRISTI NOEM, Secretary, Department
16 of Homeland Security, et al.,

17 Respondents.

No. 2:25-cv-09474-KK-AS

**FEDERAL RESPONDENTS'
SUPPLEMENTAL RESPONSE TO
ORDER TO SHOW CAUSE RE:
PRELIMINARY INJUNCTION**

**RESPONDENTS' SUPPLEMENTAL RESPONSE TO OSC RE: PRELIMINARY
INJUNCTION**

On October 9, 2025, the Court issued an order [Dkt. 7] providing that the Respondents are enjoined from continuing to detain the Petitioner unless they are provided bond hearings before an immigration judge pursuant to 8 U.S.C. § 1226(a). The Court's order further required Respondents to show cause as to why a preliminary injunction should not issue. On October 16, 2025, the Respondents filed a notice that the Petitioner was scheduled for a bond hearing that day. Respondents hereby file this supplemental response to notify the Court that the hearing was provided.

Attached as Exhibit A is the order of the immigration judge from the October 16, 2025 bond hearing before the Immigration Court, indicating that Petitioner withdrew his bond request for preparation through his counsel.

Providing the Petitioner with the 1226(a) bond hearing moots the requested preliminary injunction and this habeas petition more generally, as has been recognized in numerous other parallel cases raising this claim in this district. *See, e.g., Javier Gonzales et al. v. Kristi Noem et al.*, 5:25-cv-02054-ODW-BFM, Dkt. no. 16 (August 25, 2025 minute order by Hon. Judge Wright, denying as moot the petitioners' pending request for a preliminary injunction given their receipt pursuant to a TRO of 1226(a) bond hearings and issuing the petitioners an order to show cause re: dismissal); Dkt. no. 17 (notice of voluntary dismissal); and Dkt. no. 18 (order dismissing petition). *See also Moises Salomon Zaragoza Mosqueda v. Kristi Noem et al.*, 5:25-cv-002304-CAS-BFM, Dkt. no. 15 (September 17, 2025 minute order by Hon. Judge Snyder, denying preliminary injunction and issuing OSC re dismissal for mootness given the petitioners' receipt of immigration bond hearings); and Dkt. no. 16 (notice of voluntary dismissal).

While Respondents continue to oppose the issuance of a preliminary injunction pursuant to the legal positions stated in the Respondents' brief in opposition to the Petitioner's *ex parte* application for a temporary restraining order, and the Respondents maintain that those positions warrant denying a preliminary injunction on the merits, the

1 issue is mooted in any event by the TRO's issuance and the subsequent provision of the
2 bond hearing for the Petitioner.

3 Accordingly, following the provision of the hearing, the OSC re: preliminary
4 injunction should be discharged, and the Petitioner should either voluntarily dismiss their
5 Petition or else be required to respond to an OSC re: Dismissal.

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7 Respectfully submitted,

8 Dated: October 17, 2025

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12
13 /s/ Daniel A. Beck

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16 **LOCAL RULE 11-6.2 CERTIFICATE OF COMPLIANCE**

17 The undersigned, counsel of record for the Federal Respondents certifies that this
18 brief contains 387 words, which complies with the word limit of L.R. 11-6.1.

19
20 Dated: October 17, 2025

/s/ Daniel A. Beck

DANIEL A. BECK