

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES – GENERAL

Case No. 2:25-cv-10335-HDV-SR Date October 31, 2025
Title *Alireza Hashemi v. Kristi Noem et al.*

Present: The Honorable Hernán D. Vera, United States District Judge

<u>Wendy Hernandez</u>	<u>Not Reported</u>
Deputy Clerk	Court Reporter

Attorney(s) Present for Plaintiff(s):

Not Present

Attorney(s) Present for Defendant(s):

Not Present

**Proceedings: (IN CHAMBERS) ORDER GRANTING IN PART
TEMPORARY RESTRAINING ORDER [5] AND SETTING
BRIEFING SCHEDULE RE PRELIMINARY INJUNCTION**

Before the Court is Petitioner Alireza Hashemi's motion for a temporary restraining order to release Petitioner from detention, bar Respondents from transferring him out of this judicial district, and prevent his removal from the United States during the pendency of his underlying habeas petition. *Ex Parte* Motion for a Temporary Restraining Order and Order to Show Cause Re: Preliminary Injunction ("TRO Application") [Dkt. 5]. Respondents have filed an Opposition. [Dkt. 6].

Upon initial review, the Court finds that the TRO Application raises serious questions as to Respondents' compliance with 8 U.S.C. § 1231 and 8 C.F.R. §§ 241.4(l), 241.13(i) in detaining Petitioner. In particular, the Court finds that there are serious questions as to whether the Notice of Revocation of Release, Opposition, Ex. A [Dkt. 6-2], and initial informal interview, *see id.*, Ex. B [Dkt. 6-3]—both devoid of any information specific to Petitioner and dated the same day (October 22, 2025) that Petitioner was redetained—comply with the regulatory requirements to notify Petitioner of "the *reasons* for revocation of his . . . release," 8 C.F.R. §§ 241.4(l)(1), 241.13(i)(3) (emphasis added) and to "afford [Petitioner] an opportunity to *respond* to the reasons for revocation," including an opportunity to "submit any *evidence* or information that he . . . believes shows there is no significant likelihood he . . . [will] be removed in the reasonably foreseeable future, or that he . . . has not violated the order of supervision," 8 C.F.R. § 241.13(i)(3) (emphasis added). The Court is particularly troubled by the fact that it appears Petitioner was not permitted access to his counsel during this process. *See* Declaration of E. Katharine Tinto in Support of TRO Application [Dkt. 5-3] ¶¶ 18–20.

The Court thus ***grants in part*** the TRO Application. Respondents are enjoined from transferring, relocating, or removing Petitioner outside of the Central District of California (including, but not limited to, transferring Petitioner to an ICE facility outside of the Central District or removing Petitioner from the United States) pending further order of the Court. The Court does not find that any further relief is appropriate on this record.

The Court sets the matter for hearing on November 14 at 10:00 a.m. as to whether a preliminary injunction should issue. Petitioner's opening brief on that issue is due by November 5, 2025, Respondents' opposition is due by November 10, 2025, and Petitioner's reply is due by November 13, 2025. The parties' briefs should address the issues raised above regarding Respondents' compliance with 8 U.S.C. § 1231 and 8 C.F.R. §§ 241.4(l), 241.13(i).

IT IS SO ORDERED.