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

12 ALEJANDRO DIAZ ORZUNA

13 Petitioner,

14 v.

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

17 Respondents.

No. 2:25-cv-10380-KK-AS

**FEDERAL RESPONDENTS'
RESPONSE TO ORDER TO SHOW
CAUSE RE: PRELIMINARY
INJUNCTION; SUGGESTION OF
MOOTNESS**

**RESPONDENTS' OPPOSITION TO OSC RE: PRELIMINARY INJUNCTION;
SUGGESTION OF MOOTNESS**

On October 31, 2025, the Court issued an order [Dkt. 7] providing that the Respondents are enjoined from continuing to detain the Petitioner unless they are provided a bond hearing 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. Respondents hereby show that cause.

As shown by the Immigration Court order attached as Exhibit A hereto, Petitioner was given a bond hearing on November 5, 2025, and Petitioner was granted release on bond by the Immigration Court at that hearing.

Providing the Petitioner with the § 1226(a) bond hearing moots the requested preliminary injunction and this habeas petition more generally. *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).

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

Respectfully submitted,

Dated: November 6, 2025

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