

1 BILAL A. ESSAYLI
First Assistant United States Attorney
2 DAVID M. HARRIS
Assistant United States Attorney
3 Chief, Civil Division
DANIEL A. BECK (Cal. Bar No. 204496)
4 Assistant United States Attorney
Chief, Complex and Defensive Litigation Section
5 Federal Building, Suite 7516
300 North Los Angeles Street
6 Los Angeles, California 90012
Telephone: (213) 894-2574
7 E-mail: Daniel.Beck@usdoj.gov

8 Attorneys for Federal Respondents

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

12 MIGUEL PORTILLO, et al.,

13 Petitioners,

14 v.

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

17 Respondents.

No. 5:25-cv-02892-JFW-PVC

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

Honorable John F. Walter
United States District Judge

**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 Petitioners 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. Respondents hereby show that cause and request that the OSC be discharged and this case dismissed as moot.

As shown by the Immigration Court orders attached as Exhibit A hereto, all eight of the Petitioners were given bond hearings by November 6, 2025. All eight Petitioners were granted release on bond, as A-numbers [REDACTED]. *Id.*

Providing the Petitioners with the § 1226(a) bond hearings 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 Petitioners voluntarily dismiss this action, or that the Court issue an order to show cause re: dismissal.

Dated: November 7, 2025

Respectfully submitted,

BILAL A. ESSAYLI
First Assistant United States Attorney
DAVID M. HARRIS
Assistant United States Attorney
Chief, Civil Division
DANIEL A. BECK
Assistant United States Attorney
Chief, Complex and Defensive Litigation Section

/s/ Daniel A. Beck

DANIEL A. BECK
Assistant United States Attorney

Attorneys for Federal Respondents