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Counsel for Petitioner
Karpis Kochakyan

UNITED STATES DISTRICT COURT FOR THE
CENTRAL DISTRICT OF CALIFORNIA

Karpis Kochakyan, Alien # ,

Petitioner,
v.

PAMELA BONDI, in her official capacity as
Attorney General,

KRISTI NOEM, in her official capacity as
Secretary of the Department of Homeland
Security,

U.S. DEPARTMENT OF HOMELAND
SECURITY,

Case No. 5:25-cv-02924-
VBF-PD

REPLY TO RESPONSE TO
ORDER TO SHOW CAUSE
RE: PRELIMINARY
INJUNCTION

IMMIGRATION HABEAS
CASE

1 F. SEMAIA, in his official capacity as Warden of
2 Adelanto Detention Facility,

3 ERNESTO SANTACRUZ, JR., in his official
4 capacity as Acting ICE Field Office Director,
5 Respondents.

6
7 **I. INTRODUCTION**

8
9 On November 2, 2025, Karpis Kochakyan (Petitioner), filed a petition for a
10 writ of habeas corpus challenging the unlawful revocation of his release on an order
11 of supervision (OSUP) and his continued detention without belief that his removal
12 from the United States is reasonably foreseeable. The petition was accompanied by
13 a motion for a temporary restraining order (TRO), which sought this immediate
14 release and a prohibition on his deportation to any third country without adequate
15 notice and the ability to assert a fear of harm in that country. On November 17,
16 2025, this Court issued a TRO, ordering Respondents to immediate release
17 Petitioner from custody and prohibiting Respondents from deporting Petitioner to a
18 third country without notice and an opportunity to present a fear claim. ECF 8.
19 The Court also ordered Respondents to show cause why a preliminary injunction
20 should not issue. *Id.*

21
22 Respondents filed their response on November 26, 2025. *See* ECF 9. In
23 their response, Respondents assert that the habeas petition is moot because
24 Petitioner has been released from custody and because he “never presented any
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1 evidence” that he was facing a third-country removal. *Id.* at p. 2. Both arguments
2 fail.

3
4 Petitioner did not simply seek immediate release from ICE custody in his
5 petition for habeas relief and his motion for a TRO; he also sought an order
6 prohibiting Respondents from again revoking his OSUP in the future without first
7 following the regulations governing such revocation and without providing him
8 with a pre-deprivation hearing before a neutral adjudicator. *See ECF 1, p. 14.*
9
10 Petitioner also sought to have the burden of proof placed on Respondents at such a
11 pre-deprivation hearing. *Id.* Petitioner still seeks to have these pre-deprivation
12 requirements included in an order granting a preliminary injunction.
13

14
15 In addition, contrary to Respondents’ assertion, Petitioner did provide proof
16 that ICE threatened to deport him to a third country. In his declaration, Petitioner
17 indicated that an officer at the Adelanto Detention Facility informed him that ICE
18 was seeking travel documents from Russia on his behalf. *See ECF 1-3, p. 1.*
19

20 Respondents also argue that because Petitioner is out of custody, he cannot
21 be “subject to a proximate removal against his will, much less a forcible removal
22 without notice to a third country.” *ECF 9, p. 2.* Respondents’ assertion makes little
23 sense. Without a preliminary injunction, nothing prevents ICE from re-detaining
24 Petitioner at the expiration of the TRO and sending him to any country to which
25 they can facilitate a removal.
26
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1 Thus, Petitioner also requests that this Court memorialize its orders from the
2 TRO addressing notice of any third country deportation and an opportunity to
3 present any appropriate fear claim in an order granting a preliminary injunction.
4

5 **RESPECTFULLY SUBMITTED this 30th day of November, 2025**

6 /s/ Sabrina Damast

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