

1 BILAL A. ESSAYLI
First Assistant United States Attorney
2 DAVID M. HARRIS
Assistant United States Attorney
3 Chief, Civil Division
DANIEL A. BECK
4 Assistant United States Attorney
Chief, Complex and Defensive Litigation Section
5 MALLORY LYNN (Fla. Bar No. 57243)
Special Assistant United States Attorney
6 Federal Building, Suite 7516
300 North Los Angeles Street
7 Los Angeles, California 90012
Telephone: (714) 338-3513
8 E-mail: Mallory.Lynn@usdoj.gov

9 Attorneys for Federal Respondents

10 UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA
12

13 Francisco CARRILLO GARCIA,
14 Petitioner,
15 v.
16 Ernesto SANTACRUZ JR., Acting
17 Director, Los Angeles Field Office,
18 Immigration and Customs Enforcement,
et al.,
19 Respondents.

No. 2:25-cv-10581-MWC-PD

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

Honorable Michelle Williams Court
United States District Judge

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

On November 10, 2025, the Court issued an order [[Dkt. 8](#)] providing that the Respondents are enjoined from continuing to detain the Petitioner unless he is 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 such cause. Respondents note that the Court further ordered Petitioner to file an opening brief and all related submissions by close of business on November 17, 2025. [[Dkt. 8](#)]. As of this filing, Petitioners have not filed any additional briefs or documentation related to this matter.

Petitioner's bond hearing was scheduled at the Adelanto Immigration Court on November 14, 2025. At the hearing, Petitioner's attorney moved for a continuance, which the immigration judge granted. The immigration judge rescheduled the bond hearing to November 17, 2025. The immigration judge denied bond at the hearing, finding that Petitioner failed to establish he is not a danger to the community and that he further failed to demonstrate he is not a flight risk. *See* Exhibit A, Order of the Immigration Judge in the Matter of Francisco Emanuel Carrillo-Garcia, Nov. 17, 2020.

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 Edgar Becerra Ortiz v. Todd Lyons et al.*, 2:25-cv-09831-MWC-KES, [Dkt. no. 7](#) (October 21 order by this Court granting TRO for § 1226(a) bond hearing within seven days was followed by a voluntary dismissal).

While Respondents continue to oppose the issuance of a preliminary injunction

1 pursuant to the legal positions stated in the Respondents' brief in opposition to the
2 Petitioners' *ex parte* application for a temporary restraining order, and the Respondents
3 maintain that those positions warrant denying a preliminary injunction on the merits, the
4 issue is mooted in any event by the TRO's issuance [Dkt. 8] and the subsequent
5 provision of the bond hearing.

6 Accordingly, the OSC re: preliminary injunction should be discharged, and the
7 Petitioner should either voluntarily dismiss the Petition or else be required to respond to
8 an OSC re: Dismissal.

9
10 Dated: November 19, 2025

Respectfully submitted,

11 BILAL A. ESSAYLI
12 First Assistant United States Attorney
13 DAVID M. HARRIS
14 Assistant United States Attorney
15 Chief, Civil Division
16 DANIEL A. BECK
17 Assistant United States Attorney
18 Chief, Complex and Defensive Litigation Section
19 MALLORY LYNN (Fla. Bar No. 57243)
20 Special Assistant United States Attorney

21
22 /s/ Mallory Lynn
23 MALLORY LYNN
24 Special Assistant United States Attorney

25
26
27 Attorneys for Federal Respondents
28