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11 UNITED STATES DISTRICT COURT
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA
13

14 MAURICIO ALEJANDRO OVALLE
15 LOMBANA

16 Petitioner,

17 v.

18 MARK BOWEN, *et al.*,
19 Respondents.
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21
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No. 2:25-cv-10871-HDV-JC

**FEDERAL RESPONDENTS'
RESPONSE TO PETITION FOR WRIT
OF HABEAS CORPUS AND TO
ORDER GRANTING IN PART
PETITIONER'S APPLICATION FOR
ORDER TO SHOW CAUSE**

**[Filed concurrently with Exh. 1, IJ Bond
Order; Exh. 2, Form I-830 Notice to
EOIR: Alien Address; & Exh. 3, ISAP
Enrollment]**

Honorable Jacqueline Chooljian
United States Magistrate Judge

**RESPONDENTS' OPPOSITION TO PETITION FOR WRIT OF HABEAS
CORPUS AND ORDER GRANTING IN PART PETITIONER'S APPLICATION
FOR ORDER TO SHOW CAUSE; SUGGESTION OF MOOTNESS**

On November 26, 2025, the Court issued an order [[Dkt. 11](#)] 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\(a\)](#). On December 8, 2025, the Court further ordered Respondents to show cause as to why the Petition for Writ of Habeas Corpus ("Petition") [[Dkt. 1](#)] and the *Ex Parte* Application for Temporary Restraining Order ("TRO") [[Dkt. 7](#)] should not issue. Respondents hereby show such cause.

Petitioner's bond hearing was scheduled at the Adelanto Immigration Court on December 11, 2025. At the hearing, the Immigration Judge ("IJ") granted bond of \$10,000 with alternatives to detention (ATD) at Department of Homeland Security ("DHS") discretion. Exh. 1, IJ Bond Order. On or about December 19, 2025, DHS released the Petitioner from custody. Exh. 2., Form I-830 Notice to EOIR: Alien Address. Today, December 29, 2025, DHS enrolled the Petitioner in the Intensive Supervision Appearance Program ("ISAP") as the Petitioner is now in non-detained removal proceedings. Exh. 3, ISAP Enrollment.

Providing the Petitioner with the 1226(a) bond hearing and subsequently releasing the Petitioner with ATD, 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 this Court denying as moot 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. 18](#) (order dismissing petition); *see also See Iron Arrow Honor Society v. Heckler*, [464 U.S. 67, 70](#) (1983); *United States v. Geophysical Corp. of Alaska*, [732 F.2d 693, 698](#) (9th Cir. 1984) ("We cannot take jurisdiction over a claim as to which no effective relief can be granted.").

1 While Respondents continue to oppose the grant of the Petition and TRO pursuant
2 to the legal positions stated in the Respondents' brief in opposition to the Petitioners' *ex*
3 *parte* application for a temporary restraining order [Dkt. 9], and the Respondents
4 maintain that those positions warrant denying the matter on the merits, the issue is
5 mooted in any event by the TRO's issuance [Dkt. 11], the subsequent decision at the
6 bond hearing, and the release of the Petitioner from DHS custody.

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

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10 Dated: December 29, 2025

Respectfully submitted,

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