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UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

FREDDY EDILBERTO CABANILLA-ARIAS

Petitioner,

v.

WARDEN, *et al.*,

Respondents.

No. 5:25-cv-03228-AB-SK

FEDERAL RESPONDENTS' ANSWER TO PETITIONER'S REPLY BRIEF; SUGGESTION OF MOOTNESS

Hon. Andre Birotte, Jr.
United States District Judge

RESPONDENTS' FURTHER RESPONSE TO REPLY BRIEF; SUGGESTION OF MOOTNESS

On December 16, 2025, the Court issued an order [Dkt. 8] providing the Respondents to show cause why Petitioner should not be granted a bond hearing. The order to show cause could be discharged by Respondents providing written verification that a bond hearing for Petitioner had been scheduled. Respondents filed notice that Petitioner was scheduled to receive a bond hearing on December 22, 2025. At the hearing, the Immigration Judge granted release from custody on a $10,000 bond. *See* Exhibit A (bond hearing order).

Providing the Petitioner with the 1226(a) bond hearing moots the habeas petition. *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 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); *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); *Coc Tut v. Kristi Noem*, 5:25-cv-02701-DOC (October 30, 2025 order denying preliminary injunction as moot and issuing OSC re: dismissal where bond hearings were provided to detainees pursuant to TRO); *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.").

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

Dated: December 31, 2025

Respectfully submitted,

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