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12 UNITED STATES DISTRICT COURT
13 FOR THE CENTRAL DISTRICT OF CALIFORNIA
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15 SUKHWINDER SINGH,
16 Petitioner,
17 v.
18 MARK BOWEN, *et al.*,
19 Respondents.
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No. 5:25-cv-03381-MRA-E

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

Honorable Monica Ramirez Almadani
United States District Judge

RESPONDENTS' RESPONSE TO OSC RE: PRELIMINARY INJUNCTION

On December 19, 2025, the Court issued an order [Dkt. 9] providing that the Respondents were enjoined from continuing to detain Petitioner and further directing Respondents to release Petitioner “immediately.” Dkt. 8 at 7. The Court’s order further required Respondents to show cause as to why a preliminary injunction should not issue. Respondents hereby show such cause.

Pursuant to the Court’s order, Petitioner was released from the custody of U.S. Immigration and Custom’s Enforcement (“ICE”) on December 20, 2025. Accordingly, this moots the requested preliminary injunction and this habeas petition more generally. *See, e.g., Munoz v. Rowland*, 104 F.3d 1096, 1097–98 (9th Cir. 1997) (“Because [the petitioner] has been released ..., we can no longer provide him the primary relief sought in his habeas corpus petition.”); *Whitmore v. Arkansas*, 495 U.S. 149, 158 (1990) (“Each of these cases demonstrates what we have said many times before and reiterate today: Allegations of possible future injury do not satisfy the requirements of Art. III. A threatened injury must be ‘certainly impending’ to constitute injury in fact.”); *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); *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); *J.P. v. Santacruz*, No. 8:25-CV-01640-FWS-JC, 2025 WL 2998305, at *4 (C.D. Cal. Oct. 24, 2025) (petitioner “fail[ed] to sufficiently allege an injury or threat of injury because the event giving rise to the Petition has passed and Petitioner’s alleged threat of future injury is too speculative and unripe”).

While Respondents continue to oppose the issuance of a preliminary injunction pursuant to the legal positions stated in the Respondents’ brief in opposition to the Petitioners’ *ex parte* application for a temporary restraining order [Dkt. 8], and the

1 Respondents maintain that those positions warrant denying a preliminary injunction on
2 the merits, the issue is mooted in any event by the TRO's issuance [Dkt. 9] and the
3 subsequent release of Petitioner from ICE custody.

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

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8 Dated: December 29, 2025

Respectfully submitted,

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