

1 TODD BLANCHE
Deputy Attorney General
2 BILAL A. ESSAYLI
First Assistant United States Attorney
3 DAVID M. HARRIS
Assistant United States Attorney
4 Chief, Civil Division
DANIEL A. BECK (Cal. Bar No. 204496)
5 Assistant United States Attorney
Chief, Complex and Defensive Litigation Section
6 Federal Building, Suite 7516
300 North Los Angeles Street
7 Los Angeles, California 90012
Telephone: (213) 894-2574
8 E-mail: Daniel.Beck@usdoj.gov

9 Attorneys for Federal Respondents

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

13 NIRMAL KUMAR,
14

Petitioner,
15

v.
16

17 Kristi NOEM, Secretary, Department of
MARK BOWEN, et al.,

18 Respondents.
19
20
21
22
23
24
25
26
27
28

No. 5:25-cv-03382-AH-DSR

**FEDERAL RESPONDENTS'
RESPONSE TO ORDER TO SHOW
CAUSE RE: PRELIMINARY
INJUNCTION; SUGGESTION OF
MOOTNESS**

Honorable Anne Hwang
United States District Judge

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

On December 18, 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.

Following the Court's issuance of the TRO, Petitioner was released from immigration detention on December 26, 2025.

Providing the Petitioner with the bond hearing, or releasing them from detention, 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 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).

Accordingly, Respondents respectfully request that the Petitioner voluntarily dismiss this action, or that the Court issue an order to show cause re: dismissal.

1
2 Dated: January 7, 2026

Respectfully submitted,

3 TODD BLANCHE
4 Deputy Attorney General
5 BILAL A. ESSAYLI
6 First Assistant United States Attorney
7 DAVID M. HARRIS
8 Assistant United States Attorney
9 Chief, Civil Division
10 DANIEL A. BECK
11 Assistant United States Attorney
12 Chief, Complex and Defensive Litigation Section

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

/s/ Daniel A. Beck

DANIEL A. BECK
Assistant United States Attorney

Attorneys for Federal Respondents