

1 Gurpreet Kaur, Esq.
2 Law Office of Gurpreet Kaur
3 674 County Square Dr, Suite 305
4 P.O. Box 2022
5 Ventura, CA 93003
6 Ph. 805-300-9003; Cell 909-997-4570
7 Fax: 805-716-6100
8 E-mail: gurpreetkauresq@gmail.com
9 Attorney for Petitioner

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RAJESH LNU

Petitioner,

v.

MARK BOWEN, Acting-Warden of the Adelanto
Detention Center; TODD LYONS, Acting
Director of Immigration and Customs
Enforcement; KRISTI NOEM, Secretary of the
U.S. Department of Homeland Security; PAMELA
BONDI, Attorney General of the United States

Respondents.

Civil Action No. 5:25-cv-03384-AH-SK

**PETITIONER'S RESPONSE TO
SCHEDULING NOTICE,
REQUEST FOR LEAVE TO FILE
LATE RESPONSE,
AND REQUEST FOR
IMMEDIATE COMPLIANCE
RELIEF**

**PETITIONER'S RESPONSE TO SCHEDULING NOTICE,
REQUEST FOR LEAVE TO FILE LATE RESPONSE,
AND REQUEST FOR IMMEDIATE COMPLIANCE RELIEF**

1 Petitioner, through undersigned counsel, respectfully submits this Response to the Court's
2 Scheduling Notice entered December 31, 2025, requests leave to file a late response to the Court's prior
3 Order to Show Cause, and seeks appropriate relief based on Respondents' continued noncompliance with
4 the Court's prior order.

5 **I. REQUEST FOR LEAVE TO FILE LATE RESPONSE (GOOD CAUSE)**

6 Petitioner respectfully requests leave of Court to file a late response for good cause shown.
7 Petitioner fully intended to comply with the Court's briefing schedule and did not disregard the Court's
8 Order. Rather, the brief delay in filing occurred because counsel made good-faith efforts to resolve the
9 matter without further judicial intervention by seeking compliance from Respondents with the Court's
10 prior directives.

11 Specifically, after the Court ordered Respondents to provide Petitioner with an individualized bond
12 hearing or release, Petitioner's counsel contacted government counsel on December 26, 2025, requesting
13 confirmation of compliance and asking that a bond hearing be promptly scheduled or, in the alternative,
14 that Petitioner be released. Counsel reasonably anticipated a response that would either moot or narrow
15 the issues before the Court. When no response was received, counsel followed up again on January 5,
16 2026, again requesting compliance and clarification. At no point did Respondents respond or indicate that
17 they intended to comply with the Court's Order.

18 Petitioner's decision to first pursue compliance directly with Respondents was undertaken in
19 good faith, to conserve judicial resources, and in the hope of resolving the matter without additional
20 filings. Unfortunately, Respondents continued non-responsiveness delayed Petitioner's ability to
21 meaningfully address whether the case had become moot or whether further relief was required, thereby
22 contributing to the timing of the response.

23 Critically, Petitioner has suffered no change in custodial status during this period—he remains
24 detained—and Respondents have suffered no prejudice as a result of the brief delay. Courts routinely find
25 good cause where a party delay filing in an effort to resolve the dispute without court involvement,
26 particularly where liberty interests are at stake and the opposing party has failed to act.

27 Under these circumstances, the delay was neither intentional nor the result of neglect. It was
28 instead the product of reasonable, diligent efforts to secure compliance with a court order, which
ultimately proved unsuccessful. Courts routinely permit late filings where counsel acts in good faith and
no prejudice results. See Fed. R. Civ. P. 6(b)(1). Accordingly, Petitioner respectfully requests that the
Court grant leave to file the late response and consider Petitioner's submission on the merits.

II. RESPONDENTS HAVE NOT COMPLIED WITH THE COURT'S ORDER

Respondents were ordered to address why a preliminary injunction should not issue and to provide Petitioner with an individualized bond hearing. To date, Respondents have done neither. Petitioner remains detained, and the relief previously ordered by the Court has not been provided. As a result, judicial clarification and enforcement are now necessary to ensure the Court's prior directive is effectuated.

III. RULE 65 SUPPORTS ENFORCEMENT RELIEF TO PREVENT ONGOING HARM

Under Federal Rule of Civil Procedure 65, courts retain authority to issue and enforce injunctive relief as necessary to prevent ongoing harm and preserve the status quo. See Fed. R. Civ. P. 65(a), (d); *FTC v. Dean Foods Co.*, 384 U.S. 597, 604 (1966).

Here, Petitioner continues to experience loss of liberty while awaiting compliance with the Court's order. Because Respondents have not acted, limited enforcement relief—such as ordering release or setting a prompt bond hearing—is appropriate to ensure meaningful compliance.

IV. THE CASE IS NOT MOOT

This case is not moot because Petitioner remains in custody, has not received the relief ordered by the Court, and continues to suffer an ongoing deprivation of liberty without due process.

First, Petitioner remains detained. Respondents have neither released Petitioner nor provided the individualized bond hearing previously ordered by the Court. As long as Petitioner remains confined, a live case or controversy persists. See *Friends of the Earth, Inc. v. Laidlaw Env'tl. Servs.*, 528 U.S. 167, 189 (2000) (a case is moot only when it is “impossible for a court to grant any effectual relief whatever”).

Second, Respondents' noncompliance and non-responsiveness confirm that meaningful relief has not been provided. Despite Petitioner's good-faith efforts to resolve this matter without further judicial intervention—including written requests to government counsel on December 26, 2025, and January 5, 2026—Respondents have not responded, scheduled a bond hearing, or otherwise acted to comply with the Court's directive. The absence of any responsive action underscores that the challenged detention is ongoing and unresolved.

Third, Petitioner continues to suffer an active due process violation. Continued detention without the ordered individualized custody determination constitutes an ongoing deprivation of liberty protected by the Fifth Amendment. Each day of detention without the required process is a fresh constitutional injury. Because the harm is ongoing, the controversy remains live and capable of redress by this Court.

1 Fourth, this matter is not rendered moot by the Court's vacatur of the preliminary injunction
2 hearing. The vacatur was procedural, not substantive, and did not resolve the merits of Petitioner's claims
3 or provide the relief previously ordered. Where a petitioner remains detained and the government has not
4 complied with court-ordered process, the case remains justiciable. See *Chafin v. Chafin*, 568 U.S. 165,
5 172 (2013) (a case is not moot where "a court can fashion some form of meaningful relief").

6 In short, Petitioner remains detained, Respondents have not complied, and the constitutional injury
7 continues. Because effective relief remains available—namely, release or prompt provision of the ordered
8 bond hearing—the case is not moot and warrants further action

9 **V. REQUESTED RELIEF**

10 Petitioner respectfully requests that the Court:

- 11 1) Grant leave to file a late response;
- 12 2) Clarify that Respondents must promptly comply with the Court's prior order;
- 13 3) Order Petitioner's immediate release, **or**, in the alternative,
- 14 4) Set an expedited schedule requiring Respondents to provide an individualized bond hearing within a fixed and
15 short timeframe; and
- 16 5) Grant such other relief as the Court deems just and appropriate.

17 Petitioner makes this request with full respect for the Court and in the interest of ensuring that its prior
18 orders are given effect.

19 Respectfully submitted,



20 Gurpreet Kaur, Esq.

Law Office of Gurpreet Kaur

21 674 County Square Dr, Suite 305

P.O. Box 2022

22 Ventura, CA 93003

Ph. 805-300-9003; Cell 909-997-4570

23 Fax: 805-716-6100

E-mail: gurpreetkauresq@gmail.com

24
25 Dated this 5th day of January, 2026
26
27
28