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12 UNITED STATES DISTRICT COURT
13 FOR THE CENTRAL DISTRICT OF CALIFORNIA
14

15 JOSE GONZALEZ GIRON, et al.
Petitioner,
16
17 v.
18 KRISTI NOEM, *et al.*,
Respondents.
19

No. 5:25-cv-03395-SSS-BFM

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

Honorable Sunshine Suzanne Sykes
United States District Judge

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

On December 19, 2025, the Court issued an order [Dkt. 13] providing that the Respondents are enjoined from continuing to detain the Petitioners unless they are 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. Respondents hereby show such cause.

Petitioner Alfredo Munguia Yoguez was ordered released from custody on a \$10,000 bond. (Exhibit A).

Petitioner Jeronimo Vargas-Basabe was ordered released from custody on a \$20,000 bond. (Exhibit B).

Petitioner Ezequias Popol-Ajqui was ordered released from custody on a \$28,000 bond. (Exhibit C).

Petitioner Elias Vasquez Juarez was ordered released from custody on a \$10,000 bond. (Exhibit D).

Petitioner Manuel Nava Salcedo's request for bond was withdrawn. (Exhibit E).

Petitioner Aide Ochoa Maldonado's request for bond was withdrawn. (Exhibit F).

Petitioner Jose Arturo Gonzalez Giron's request for bond was denied because he could not establish that he was not a flight risk. (Exhibit G).

Petitioner Cesar Hernandez-Ortiz's request for bond was denied because he was deemed a danger to the community and a flight risk. (Exhibit H).

Petitioner Ponciano Nava-Mojica's request for bond was denied because he was deemed a danger to the community and a flight risk. (Exhibit I).

Providing the Petitioners with the 1226(a) bond hearing 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

1 and issuing the petitioners an order to show cause re: dismissal); Dkt. no. 18 (order
2 dismissing petition); *see also See Iron Arrow Honor Society v. Heckler*, 464 U.S. 67, 70
3 (1983); *United States v. Geophysical Corp. of Alaska*, 732 F.2d 693, 698 (9th Cir. 1984)
4 (“We cannot take jurisdiction over a claim as to which no effective relief can be
5 granted.”).

6 While Respondents continue to oppose the issuance of a preliminary injunction
7 pursuant to the legal positions stated in the Respondents’ brief in opposition to the
8 Petitioners’ *ex parte* application for a temporary restraining order, and the Respondents
9 maintain that those positions warrant denying a preliminary injunction on the merits, the
10 issue is mooted in any event by the TRO’s issuance [Dkt. 13] and the subsequent
11 decision at the bond hearing.

12 Accordingly, the OSC re: preliminary injunction should be discharged, and the
13 Petitioner should either voluntarily dismiss the Petition or else be required to respond to
14 an OSC re: Dismissal.

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16 Dated: December 29, 2025

Respectfully submitted,

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