

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
5 Assistant United States Attorney
Chief, Complex and Defensive Litigation Section
6 ERIKA S. ROJAS
Special Assistant United States Attorney
7 Federal Building, Suite 7516
300 North Los Angeles Street
8 Los Angeles, California 90012
Telephone: (213) 894-0397

9 E-mail: Erika.Rojas@usdoj.gov

10 Attorneys for Federal Respondents
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12 UNITED STATES DISTRICT COURT
13 FOR THE CENTRAL DISTRICT OF CALIFORNIA

14 Kaveh Momtazian,

15 Petitioner,

16 v.
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18 Kristi Noem, et al.,

19 Respondents.
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No. 5:25-cv-03432-AH-KES

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

Honorable Anne Hwang
United States District Judge

RESPONSE TO ORDER TO SHOW CAUSE RE: PRELIMINARY INJUNCTION

The Respondents hereby respectfully respond to the Court's December 25, 2025 "Order Granting Motion for Temporary Restraining Order," which required the Respondents to show cause as to why a preliminary injunction should not issue. [Dkt. Nos. 2, 7].

Pursuant to the Court's TRO Order, the Petitioner has been released from custody. See Exhibit A (Declaration of Erika S. Rojas).

Providing the Petitioner with release 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, 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 Dated: January 7, 2026

Respectfully submitted,

2 TODD BLANCHE
Deputy Attorney General
3 BILAL A. ESSAYLI
First Assistant United States Attorney
4 DAVID M. HARRIS
Assistant United States Attorney
5 Chief, Civil Division
6 DANIEL A. BECK
Assistant United States Attorney
7 Chief, Complex and Defensive Litigation Section
8 ERIKA S. ROJAS
Special Assistant United States Attorney

/s/ Erika S. Rojas*

9 ERIKA S. ROJAS
Special Assistant United States Attorney

10 Attorneys for Federal Respondents

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12 * The undersigned, counsel of record for the Federal Respondents certifies that this brief
13 contains 256 words, which complies with the word limit of L.R. 11-6.1.
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DECLARATION OF ERIKA S. ROJAS

I, Erika S. Rojas, do hereby declare and state as follows:

1. I am an attorney for ICE who is employed as a Special Assistant United States Attorney for the United States Attorney's Office for the Central District of California.

2. I make this declaration based upon my personal knowledge of the facts and my review of official records of this case. If called to testify, I would and could do so.

3. I have reviewed the case of Petitioner Kaveh Momtazian.

4. On or about December 26, 2025, Petitioner was released from ICE custody at Adelanto, California and placed on OSUP release pursuant to this Court's Order dated December 25, 2025. [Dkt. 10]

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 7th day of January 2026, at Los Angeles, California.

/s/ Erika S. Rojas
ERIKA S. ROJAS
Special Assistant United States Attorney