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

14 MODESTA ARAUJO-CONTRERAS,

15 Petitioner,

16 v.

17 JAMES JANECKA, et al.,

18 Respondents.
19

No. 5:25-cv-03442-KK-MBK

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

Honorable Kenly Kita Kato
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1 On December 23, 2025, the Court issued an order [Dkt. 8] providing that the
2 Respondents are enjoined from continuing to detain the Petitioner unless she is provided
3 a bond hearing before an immigration judge pursuant to 8 U.S.C. § 1226(a) within seven
4 days. The Court's order further required Respondents to show cause as to why a
5 preliminary injunction should not issue. Respondents hereby show such cause.

6 Petitioner's bond hearing was scheduled at the Adelanto Immigration Court on
7 December 30, 2025. At the hearing, Petitioner was denied bond after the immigration
8 judge found that because Petitioner's removal order had been reinstated, she was subject
9 to mandatory detention under 8 U.S.C. § 1231/INA § 241 and that there was no
10 jurisdiction under 8 U.S.C. § 1226(a). See Order of the Immigration Judge in the Matter
11 of Modesta Araujo de Echeverria, dated Dec. 30, 2025, attached hereto as Exhibit A.

12 Providing the Petitioner with the Section 1226(a) bond hearing the Court ordered
13 moots the requested preliminary injunction and this habeas petition more generally. See,
14 e.g., *Javier Gonzales et al. v. Kristi Noem et al.*, 5:25-cv-02054-ODW-BFM, Dkt. no. 16
15 (August 25, 2025 minute order by Hon. Judge Wright, denying as moot the petitioners'
16 pending request for a preliminary injunction given their receipt pursuant to a TRO of
17 1226(a) bond hearings and issuing the petitioners an order to show cause re: dismissal);
18 Dkt. no. 17 (notice of voluntary dismissal); and Dkt. no. 18 (order dismissing petition).
19 See also *Edgar Becerra Ortiz v. Todd Lyons et al.*, 2:25-cv-09831-MWC-KES, Dkt. no.
20 7 (October 21 order by this Court granting TRO for § 1226(a) bond hearing within seven
21 days was followed by a voluntary dismissal). Respondents believe the issue is mooted
22 by the TRO's issuance [Dkt. 11] and the subsequent provision of the bond hearing.

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

1 Dated: December 30, 2025

Respectfully submitted,

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/s/ Jasmin Yang
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