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

14 MUSSIE HAILE GHEBRESLASSIE,
15 Petitioner,
16 v.
17 JAMES JANECKA, *et al.*,
18 Respondents.
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No. 5:25-cv-03447-JWH-DTB

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

Hearing Date: January 22, 2026
Hearing Time: 10:00 a.m.
Courtroom: 9D

Honorable John W. Holcomb
United States District Judge

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

On January 8, 2026, the Court issued an order granting Petitioner's Ex Parte Application for Temporary Restraining Order ("TRO") and ordering the Respondents to immediately release Petitioner from immigration custody [Dkt. 13]. The Court's order further required Respondents to show cause on or before January 20, 2026 as to why a preliminary injunction should not issue. *Id.* Respondents hereby show such cause.

Petitioner Mussie Ghebreslassie was released from ICE custody on January 8, 2026. Because Petitioner has received the relief sought and is no longer in immigration custody, there is no further relief that this Court can provide. *Picrin-Peron v. Rison*, 930 F.2d 773, 775–76 (9th Cir. 1991). Recently, on January 12, 2026, the Honorable Judge Olguin denied as moot a motion for preliminary injunction and habeas petition after granting a temporary restraining order to release petitioner. The Court explained:

For a habeas petition to continue to present a live controversy after the petitioner's release or deportation . . . there must be some remaining 'collateral consequence' that may be redressed by success on the petition." *Abdala v. I.N.S.*, 488 F.3d 1061, 1064 (9th Cir. 2007). "By contrast, where the grounds for habeas relief will not redress collateral consequences, a habeas petition does not continue to present a live controversy once the petitioner is released from custody." *Id.* "Collateral consequences create concrete legal disadvantages." *Alam v. Carter*, 843 F.Appx. 953, 954 (9th Cir. 2021) (internal quotation marks omitted).

Here, petitioner's release "does not give rise to collateral consequences that are redressable by success on his original petition." *Abdala*, 488 F.3d at 1065; see *Mejia v. Semaia*, 2025 WL 2633165, *2 (C.D. Cal. 2025) ("[I]f release from custody fully resolves the claims raised in a habeas petition, the claims are indeed moot."). And petitioner's contention that respondents will be able to re-arrest and re-detain him ... appears to be "speculative and

hypothetical[.]” *Alam*, 843 F.Appx. at 954; *see id.* (holding that petitioner’s release from detention mooted his petition for a writ of habeas corpus and that “[a]ny risk of re-detention does not save his petition from mootness, as he was released pursuant to court order and there is thus a legal impediment to his re-detention”).

Trujillo v. Janecka, No. 5:25-cv-03002-FMO-SSC, 2026 WL 84314, at *1 (C.D. Cal. Jan. 12, 2026).

Petitioner may argue that the case is not moot because Petitioner could theoretically be re-detained. The possibility of re-detention is not grounds to continue litigating a habeas petition. For example, the Honorable Judge Carter granted a TRO but then denied the PI as moot in *Coc Tut v. Noem*, 5:25-cv-02701-DOC, Dkt. 13 (Oct. 30, 2025). Judge Carter addressed the re-detention argument and rejected it as a basis to sustain a habeas action, explaining, “The Court understands Petitioners’ concerns regarding re-detention. Petitioners may seek relief from the Court should they be re-detained by immigration officials and held without bond pursuant to the Government’s new policy.” *Id.* at 3.

The Honorable Judge Slaughter reached a similar result in *J.P. v. Santacruz*, No. 8:25-CV-01640-FWS, 2025 WL 2998305, at *1 (C.D. Cal. Oct. 24, 2025), a case where the petitioner requested notice and a hearing before a neutral adjudicator prior to his potential future re-detention and/or re-arrest. Judge Slaughter dismissed the case for lack of subject matter jurisdiction, finding, “To the extent Petitioner challenges his future detention and/or arrest at another physical appointment, the court finds Petitioner fails to present sufficient allegations or evidence of the threat of future injury to confer Article III standing.” *Id.* at *4. *See also See Iron Arrow Honor Society v. Heckler*, 464 U.S. 67, 70 (1983); *United States v. Geophysical Corp. of Alaska*, 732 F.2d 693, 698 (9th Cir. 1984) (“We cannot take jurisdiction over a claim as to which no effective relief can be granted.”).

Accordingly, Respondents respectfully submit that the Petitioner should

1 voluntarily dismiss this action, or, in the alternative, that the Court issue an order to
2 show cause re: dismissal.

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4 Dated: January 20, 2026

Respectfully submitted,

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16 contains 655 words, which complies with the word limit of L.R. 11-6.1.