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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **EASTERN DIVISION**

11 MUSSIE HAILE GHEBRESLASSIE,

Case No.: 5:25-cv-03447

12
13 Petitioner,

14 vs.

15 JAMES JANECKA, in his official capacity
16 as Warden of the Adelanto Detention
17 Facility

18 DAVID MARIN, in his official capacity as
19 Field Office Director of the Immigration
20 and Customs Enforcement, Enforcement
21 and Removal Operations Los Angeles Field
Office;

22 KRISTI NOEM, in her official capacity as
23 Secretary of the Department of Homeland
24 Security;

25 PAMELA BONDI, in her official capacity
26 as Attorney General of the United States,

27 Respondents.
28

**PETITIONER GHEBRESLASSIE'S
RESPONSE 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

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

QUESTIONABLE TACTICS BY RESPONDENTS

Prior to addressing Respondents suggestion of mootness, Petitioner wishes to address the conduct of Respondents in this matter. After Petitioner's filing of the Petition for Writ of Habeas Corpus and Request for issuance of a Temporary Restraining Order and Preliminary Injunction, this court ordered Respondents to file a Response to the TRO on or before December 29, 2026. Apparently, the Respondents chose to file a response and thereby acquiesced to both the TRO being granted.

After this Court granted Petitioner's TRO and ordered Petitioner released forthwith on January 8, 2026, this Court ORDERED Respondents to show cause why this court should not issue a preliminary injunction before January 19, 2026 at 12:00 pm. This gave the Respondents fully eleven days to do so. This Court also gave Petitioner until January 21, 2026 to file its response, a period of two days. Now Respondents file their "Response" on January 20, 2026 and in doing so completely misrepresent this Court's order, justifying the late filing by prefacing their filing with the following preamble.

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.

In fact, Respondents' filing was in the very late afternoon of January 20, 2026 and either by design or negligence has provided Petitioner with less than half the time the Court's order was designed to provide him. Petitioner believes that the Governments late filing and clearly false statements should not be allowed to

**PETITIONER GHEBRESLASSIE'S RESPONSE TO RESPONDENTS RESPONSE TO ORDER TO
SHOW CAUSE RE; PRELIMINARY INJUNCTION - I**

1 influence this Court's decision in anyway and their Response should be completely
2 disregarded.

3 **IN THIS MATTER PETITIONER'S REQUEST IS CLEARLY NOT MOOT**

4 Respondents' sole argument in its response is that as Petitioner has received
5 the relief sought and is no longer in immigration custody, that there is no further
6 relief that this Court can provide release from custody and his release fully
7 resolves the claims raised in a habeas petition. (citing *Trujillo v. Janecka*, No. 5:25-
8 cv-03002-FMO-SSC, 2026 WL 84314, at *1 (C.D. Cal. Jan. 12, 2026).
9

10 holding that petitioner's release from detention mooted his petition
11 for a writ of habeas corpus and that "[a]ny risk of re-detention does
12 not save his petition from mootness, as he was released pursuant to
13 court order and there is thus a legal impediment to his re-detention").

14 They then cite *J.P. v. Santacruz*, No. 8:25-CV-01640-FWS, 2025 WL
15 2998305, at *1 (C.D. Cal. Oct. 24, 2025), as a case where the petitioner requested
16 notice and a hearing before a neutral adjudicator prior to his potential future re-
17 detention and/or re-arrest. In that case the judge dismissed the case for lack of
18 subject matter jurisdiction, finding,
19

20 "To the extent Petitioner challenges his future detention and/or arrest
21 at another physical appointment, the court finds Petitioner fails to
22 present sufficient allegations or evidence of the threat of future injury
23 to confer Article III standing." *Id.* at *4.

24 In the present matter, Petitioner in his "Prayer for Relief" as part of his
25 Petition for Writ of Habeas Corpus asked this Court to "Enjoin Respondents
26 from detaining Petitioner in the future without reasonable notice and an
27

1 opportunity to be heard". In this Court's order granting Petitioner's TRO and
2 ordering his release, the order was limited by the following:

3 *This Temporary Restraining Order is issued at 9:20 a.m. on January*
4 *8, 2026. It shall remain in effect until the conclusion of the hearing*
5 *on January 22, 2026.*
6

7 Therefore, should a decision denying Petitioner's preliminary injunction
8 occur on January 22, 2026, Petitioner will be again in immediate jeopardy of re-
9 arrest and detention.

10 Unlike *J.P. v. Santacruz*, Petitioner's fears of future injury have already
11 been confirmed. On January 20, 2026 (yesterday) Petitioner reported to the ICE
12 office in San Bernardino for his required appointment according to his supervised
13 release.
14

15 At that appointment, Petitioner was once again arrested, handcuffed and
16 detained and in all probability would have continued to be detained but for his
17 brother presenting this Court's order that required his release. Faced with this
18 order, ICE grudgingly released Petitioner. But, as his release is only valid until
19 January 22, 2026, it is obvious that ICE has already "tipped its hand" as to its
20 intention to re arrest and re-detain Petitioner as soon as possible.
21

22 These actions and the limitations on the earlier order show that, unlike the
23 cases cited by Respondents, after January 22, 2026 if there is an unfavorable
24 decision, there will no longer be a "legal impediment to his re-detention" and ICE's
25 current actions "present sufficient allegations or evidence of the threat of future
26 injury"
27

CONCLUSION

For all of the reasons discussed above, this Court should grant Petitioner's request for a preliminary injunction.

Dated: January 21, 2026

Respectfully submitted,

/s/ Ali M. Farahmand

Attorney for Petitioner

**The undersigned, counsel of record for Petitioner certifies that this brief contains 801 words, which complies with the word limit of L.R. 11-6.1.