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10 Attorneys for Respondents

11 UNITED STATES DISTRICT COURT
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA
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15 EUGENE TRIFONOV,

16 Petitioner,

17 v.

18 KRISTI NOEM, et al.

19 Respondents.
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No. 5:25-cv-03460-DOC-JDE

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

Honorable David O. Carter
United States District Judge

RESPONSE TO ORDER TO SHOW CAUSE RE: PRELIMINARY INJUNCTION

The Respondents hereby respectfully respond to the Court’s December 22, 2025 “Order Granting Plaintiff’s Ex Parte Application for Temporary Restraining Order,” which required the Respondents to show cause as to why a preliminary injunction should not issue. [Dkt. 4].

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 them 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: December 29, 2025

Respectfully submitted,

2 TODD BLANCHE
3 Deputy Attorney General
4 BILAL A. ESSAYLI
5 First Assistant United States Attorney
6 DAVID M. HARRIS
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15 /s/ Erika S. Rojas
16 ERIKA S. ROJAS
17 Special Assistant United States Attorney
18 Attorneys for Respondents

19 **CERTIFICATE OF COMPLIANCE WITH L.R. 11-6.2**

20 The undersigned, counsel of record for Respondents, certifies that the
21 memorandum of points and authorities contains 258 words, which complies with the
22 word limit of L.R. 11-6.1.

23 Dated: December 29, 2025

24 /s/ Erika S. Rojas
25 ERIKA S. ROJAS
26 Special Assistant United States Attorney
27 Attorneys for Respondents
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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 Eugene Trifonov.

4. On or about December 23, 2025, Petitioner was released from ICE custody at Adelanto, California and placed on OSUP release pursuant to this Court's Order dated December 22, 2025. [Dkt. 4]

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

Executed this 29th day of December 2025, at Los Angeles, California.

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