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17 **United States District Court**
18 **Central District of California**

19 Eugene Trifonov,
20 Petitioner,

21 v.

22 Kristi Noem, et. al.

23 Respondents.
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No. 25-cv-03460-DOC-JDE

Joint Status Report

Hon. John D. Early
United States Magistrate Judge

1 As ordered by the Court, the parties have met and conferred
2 telephonically and file this joint status report. See Docket 14.

3 **A. Resolutions**

4 The parties discussed potential resolutions to the case. Namely,
5 Trifonov proposed that the Respondents agree to not re-detain him
6 without travel documents and a travel plan. The Respondents' position is
7 that this matter as pled by the Petition is moot, and should be dismissed.
8 Therefore, the parties were not able to resolve this case.

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10 **B. Remaining issues for the court to resolve**

11 **1. Petitioner's Position**

12 As to the remaining issues, they are limited. The merits of the case
13 were addressed by Judge Carter's temporary restraining order and
14 preliminary injunction rulings. Dockets 4, 11. And Respondents offer
15 nothing to contradict those merits rulings. For the reasons therein, and in
16 Trifonov's prior briefing, he contends he is entitled to relief—namely
17 preventing his re-detention absent travel documents and a travel plan.
18 That is, complying with *Zadvydas*.

19 As to mootness, Judge Carter already received briefing on this,
20 Dockets 6, 8, and rejected the Respondents' mootness argument, see
21 Docket 11.¹ Trifonov's position—given the law of the case and his
22 previous arguments—is that the case is not moot.

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26 ¹ In another case with Trifonov's counsel, Judge Carter ordered supplemental briefing on the mootness question and explained why the case was not moot in a well-reasoned decision. *Pogosian v. Bowen, et. al.* 5:25-cv-03380, Docket 18 (2026).

2. Respondent's Position

Respondents' position is that the case is moot because the Petitioner was already released from detention a month ago. Furthermore, Respondents contend that to the extent Petitioner might seek additional relief in District Court which would delay or obstruct the potential future enforcement of Petitioner's removal pursuant to a final removal order even if travel documents are obtained for him, such relief is jurisdictionally barred by 8 U.S.C. § 1252(g), which strips District Courts of jurisdiction to review and delay the enforcement of final removal orders in that manner.

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1 Should the Court wish to receive briefing on the mootness question,
2 the parties would leave that to the discretion of the Court.
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5 Dated: January 28, 2026

Respectfully submitted,

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14 Respectfully submitted,

15 Cuauhtemoc Ortega
16 Federal Public Defender

17 Dated: January 28, 2026

By: /s/ Dale F. Ogden
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