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10
11 UNITED STATES DISTRICT COURT
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

13
14 Ashraf Farhan Husny SULAIMAN,

15 Petitioner,

16 v.

17 Kristi NOEM, et al.,

18 Respondents.
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No. 5:25-cv-03475-PA-SSC

**RESPONDENTS' RESPONSE TO
PETITIONER'S EX PARTE
APPLICATION FOR TEMPORARY
RESTRAINING ORDER AND ORDER
TO SHOW CAUSE**

Hon. Percy Anderson
United States District Judge

1 **RESPONSE TO PETITIONER’S *EX PARTE* TRO APPLICATION**

2 On Friday, December 19, 2025, Petitioner filed an *ex parte* application for a
3 temporary restraining order at 8:23 p.m. PST [Dkt. no. 4], alleging that he faces an
4 imminent removal to Palestine, although he has been granted withholding of removal to
5 “Occupied Territories” by an Immigration Court back in 2015. Petitioner alleges that
6 although he has not yet been told he faces removal to a third country, he fears that is
7 possible because he cannot be removed to Palestine due to his receipt of withholding of
8 removal. He therefore requests a notice period be provided in advance of such a potential
9 third-country removal.¹

10 In response, the Court issued an order [Dkt. no. 6] setting a 1:00 p.m. deadline on
11 December 20, 2025 for the Respondents to respond to the TRO Application.

12 Having been notified by Petitioner’s counsel and by the Court about the TRO
13 Application and its response deadline, and acknowledging the temporal exigency of the
14 allegations made by the Petitioner’s TRO Application, undersigned counsel has sought
15 to obtain information from the agency about the situation in order to present a response
16 by the Federal Respondents. Presumably because this issue came up so late at night on a
17 Friday before the upcoming holiday week, however, Respondents’ counsel has
18 unfortunately not, as of the date and time of this filing, been able to obtain any additional
19 information from the agency about the situation and the agency’s position on it.

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24 ¹ In habeas cases where third country removal appears genuinely at issue—which is
25 relatively uncommon, and normally involves an explicit legal bar on removal to the
26 country listed on the removal order, meaning the noncitizen must therefore instead either
27 be removed to their port of origin or else to a third country—some courts have ordered
28 an advance notice procedure. See e.g. *Nadar Nadari v. Pamela Bondi, et al.*, 2:25-cv-
07893-JLS-BFM, Dkt. no 12.

1 Respondents' counsel will seek to promptly update the Court if-and-when
2 additional information becomes available, but relative the Court's current deadline for
3 presenting a response, does not have further information to provide at this juncture.

4 Dated: December 20, 2025

Respectfully submitted,

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15 /s/ Daniel A. Beck

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