

1 TODD BLANCHE
Deputy Attorney General
2 BILAL A. ESSAYLI
First Assistant United States Attorney
3 DAVID M. HARRIS
Assistant United States Attorney
4 Chief, Civil Division
DANIEL A. BECK
5 Assistant United States Attorney
Chief, Complex and Defensive Litigation Section
6 KAREN E. SMITH (Md. Bar No. 0712120288)
Special Assistant United States Attorney
7 Federal Building, Suite 7516
300 North Los Angeles Street
8 Los Angeles, California 90012
Telephone: (213) 917-0138
9 E-mail: karen.smith@usdoj.gov

10 Attorneys for Federal Respondents

11
12 UNITED STATES DISTRICT COURT
13 FOR THE CENTRAL DISTRICT OF CALIFORNIA
14

15 ARMAN KESHESHIAN,

16 Petitioner,

17 v.

18 KRISTI NOEM, *et al.*,

19 Respondents.
20
21
22
23
24
25
26
27
28

No. 5:25-cv-03478-MWC-DFM

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

Honorable Michelle Williams Court,
United States District Judge

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

On December 24, 2025, the Court issued an order [Dkt. 10] releasing Petitioner on an Order of Supervision. The Court's order further required Respondents to show cause as to why a preliminary injunction should not issue. Respondents hereby show such cause.

Petitioner's release 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 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. 18 (order dismissing petition); *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); *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.").

While Respondents continue to oppose the issuance of a preliminary injunction pursuant to the legal positions stated in the Respondents' brief in opposition to the Petitioners' *ex parte* application for a temporary restraining order, and the Respondents maintain that those positions warrant denying a preliminary injunction on the merits, the issue is mooted in any event by the TRO's issuance [Dkt. 10].

Accordingly, the OSC re: preliminary injunction should be discharged, and the Petitioner should either voluntarily dismiss the Petition or else be required to respond to

1 an OSC re: Dismissal.

2
3 Dated: December 31, 2025

Respectfully submitted,

4 TODD BLANCHE
Deputy Attorney General
5 BILAL A. ESSAYLI
First Assistant United States Attorney
6 DAVID M. HARRIS
Assistant United States Attorney
7 Chief, Civil Division
DANIEL A. BECK
8 Assistant United States Attorney
Chief, Complex and Defensive Litigation Section
9 KAREN E. SMITH
Special Assistant United States Attorney

10 /s/ Karen E. Smith

11 Karen E. Smith
Assistant United States Attorney

12 Attorneys for Federal Respondents
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28