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

15 SONIA AFANG MESEE ENGONGA.,

16 Petitioners,

17 v.

18 KRISTI NOEM, *et al.*,

19 Respondents.
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No. 5:25-cv-03479-FWS-MAA

**RESPONDENTS' RESPONSE TO
ORDER TO SHOW CAUSE WHY
PRELIMINARY INJUNCTION
SHOULD NOT ISSUE AND
ALTERNATIVELY ANSWER TO
PETITIONER'S HABEAS PETITION**

Honorable Fred W. Slaughter
United States Magistrate Judge

1 On December 21, 2025, Petitioner Sonia Afang Mese Engonga (“Petitioner”)
2 filed a Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241 (“Petition”) and Ex
3 Parte Application for a Temporary Restraining Order (“TRO”). (ECF 11.) The Petition
4 and TRO challenges Petitioner’s detention under the Immigration and Nationality Act
5 (“INA”) § 235, 8 U.S.C. § 1225. Petitioner seeks an order for her immediate release
6 from custody and an order that she may not be re-detained without a bond hearing on the
7 merits where the government must prove by clear and convincing evidence that he is a
8 danger to the community and a flight risk such that physical custody is required. (*Id.* at
9 21). The Court ordered Respondents to file a Response to the TRO by December 23,
10 2025. (ECF 6.) Respondents filed their response. (ECF 7).

11 On December 23, 2025, the Court issued an Order Granting in Substantial Part
12 Petitioner’s TRO and requiring Respondents to provide Petitioner with an individualized
13 bond hearing before an Immigration Judge pursuant to 8 U.S.C. § 1226 by December 30,
14 2025, or release Petitioner by December 31, 2025. (ECF 8.) The Court further order
15 Respondents to show cause in writing on or before January 6, 2026, as to why the court
16 should not issue a preliminary injunction in this case.

17 On December 29, 2025, Petitioner was provided with a bond hearing. *See* Exhibit
18 A.

19 Accordingly, a preliminary injunction in this case should not issue because this
20 matter is moot. The case or controversy requirement of Article III of the Constitution
21 deprives federal courts of jurisdiction to hear moot cases. *See Iron Arrow Honor Society*
22 *v. Heckler*, 464 U.S. 67, 70 (1983). A case becomes moot if the “issues presented are no
23 longer ‘live’ or the parties lack a legally cognizable interest in the outcome.” *Murphy v.*
24 *Hunt*, 455 U.S. 478, 481 (1982). Federal courts do not have the power to decide a case
25 that does not affect the rights of a litigant in the case before it. *See Mitchell v. Dupnik*, 75
26 F.3d 517, 527–28 (9th Cir. 1996).

27 Accordingly, the Court should deny the Habeas Petition and dismiss the case as
28 moot. Petitioner was provided with a § 1226(a) bond hearing. *See* Exhibit A. Once

Petitioner posts bond she will be released from custody and will have received the relief sought. Because Petitioner has received the relief sought there is no further relief that this Court can provide. *Picrin-Peron v. Rison*, 930 F.2d 773, 775–76 (9th Cir. 1991). Accordingly, Respondents request that the Court deny the Habeas Petition and dismiss the case as moot.

Dated: December 29, 2025

Respectfully submitted,

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Exhibit A



**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
ADELANTO IMMIGRATION COURT**

Respondent Name:

MESEE ENGONGA, SONIA AFANG

To:

Reynolds, Keli Marie
315 West Ninth Street
Suite 801
Los Angeles, CA 90015

A-Number:



Riders:

In Custody Redetermination Proceedings

Date:

12/29/2025

ORDER OF THE IMMIGRATION JUDGE

The respondent requested a custody redetermination pursuant to 8 C.F.R. § 1236. After full consideration of the evidence presented, the respondent's request for a change in custody status is hereby ordered:

☐ Denied, because

- ☒ Granted. It is ordered that Respondent be:
- ☐ released from custody on his own recognizance.
 - ☒ released from custody under bond of \$ 15,000.00
 - ☒ other:
w/ATD

- ☒ Other:
TRO Case 5:25-cv-03479-FWS-M



Immigration Judge: Maury, Carlos 12/29/2025

Appeal: Department of Homeland Security: ☒ waived ☐ reserved
Respondent: ☒ waived ☐ reserved

Appeal Due:

Certificate of Service

This document was served:

Via: [M] Mail | [P] Personal Service | [E] Electronic Service | [U] Address Unavailable

To: [] Alien | [] Alien c/o custodial officer | [E] Alien atty/rep. | [E] DHS

Respondent Name : MESEE ENGONGA, SONIA AFANG | A-Number :



Riders:

Date: 12/29/2025 By: Anthony Madera, Court Staff