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

15 ROBERTO CARLOS
16 RIVAS MARTINEZ

17 Petitioner,

18 v.

19 ERNESTO SANTACRUZ JR., *et al.*,

20 Respondents.

No. 5:25-cv-03597-SSS-BFM

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

Honorable Sunshine Suzanne Sykes
United States District Judge

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

On January 7, 2026, the Court issued an order [Dkt. 11] providing that the Respondents are enjoined from continuing to detain the Petitioner unless he is provided a bond hearing before an immigration judge pursuant to 8 U.S.C. § 1226(a). 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 bond hearing was scheduled at the Adelanto Immigration Court on January 15, 2026. At the hearing, the Immigration Judge denied bond, finding that Petitioner posed a flight risk such that no amount of bond would secure future appearances. See Exhibit A, Bond Order from Immigration Court.

Providing the Petitioner with the 1226(a) bond hearing 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 by this Court 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); *see also See 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.").

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 an OSC re: Dismissal.

Dated: January 16, 2026

Respectfully submitted,

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