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ZUHIR ZIN EDDIN  
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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 ZUHIR ZIN EDDIN,

11 Petitioner,

12 v.

13 KRISTI NOEM, Secretary of the U.S.  
Department of Homeland Security;  
14 PAM BONDI, Attorney General of  
the United States; THOMAS GILES  
15 Director of the Los Angeles Field  
Office of U.S. Immigration and  
16 Customs Enforcement; AND JAMES  
JANECKA, Warden Adelanto ICE  
17 Processing Center in their official  
capacities,

18 Respondents.  
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Case No. 2:25-cv-04817-JFW-DTB

**REPLY BRIEF IN SUPPORT OF  
MOTION FOR RELEASE ON BAIL;  
REQUEST FOR IMMEDIATE RELIEF**

1 Petitioner Zuhir Zin Eddin requests an immediate order providing for his release  
2 from detention in light of the absence of an Opposition from Respondents. On August 6,  
3 2025, Petitioner filed a motion for his release on bail pending the resolution of his  
4 petition for the writ of habeas corpus. The Opposition to Petitioner's motion was due  
5 August 15, 2025. Respondents did not file an Opposition. The absence of an Opposition  
6 should be treated as a concession that the motion should be granted.

7 Local Rule 7-12 of the Central District of California provides that “[t]he failure to  
8 file any required [responsive] document, or the failure to file it within the deadline, may be  
9 deemed consent to the granting or denial of the motion.” C.D. Cal. L.R. 7-12. This rule  
10 has been repeatedly applied to grant motions to which a timely opposition was not filed.  
11 See *Bank of New York Mellon v. White*, No. 218CV04072ODWASX, 2020 WL 3440564, at  
12 \*1 (C.D. Cal. June 23, 2020) (granting motion to dismiss counter-claims under L.R. 7-12  
13 because no timely opposition was filed); *Korkotyan v. FCA US LLC*, No.  
14 219CV07384ODWPLAX, 2019 WL 5260471, at \*1 (C.D. Cal. Oct. 15, 2019) (granting  
15 motion to remand where defendants filed opposition four days late and did not show  
16 good cause for extension of deadline); *Castro v. Cnty. of Los Angeles*, No. 2:13-CV-06631-  
17 CAS(SSX), 2015 WL 4694070, at \*1 (C.D. Cal. Aug. 3, 2015) (deeming defendants' failure  
18 to file an opposition to motion to exclude evidence to constitute consent to the motion).

19 The Ninth Circuit has repeatedly reaffirmed district courts' authority to grant  
20 motions where the opposing party failed to file a timely response. See *Wystrach v.*  
21 *Ciachurski*, 267 Fed. Appx. 606 (2008) (affirming summary grant of unopposed motion to  
22

dismiss); *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995) (affirming dismissal on the basis of unopposed motion); *Brydges v. Lewis*, 18 F.3d 651, 653 (9th Cir. 1994) (“the district court did not err by deeming [plaintiff’s] failure to respond a consent to the motion for summary judgment”); *United States v. Warren*, 601 F.2d 471, 473 (9th Cir. 1979) (affirming grant of motion for summary dismissal of indictment where the United States failed to file a response).

Here, Respondents filed a timely response to Mr. Zin Eddin’s habeas petition but did not respond to his motion for release on bail. A party responding to some filings but not others weighs in favor of treating the non-response as a concession. *See Alvarado v. Rainbow Inn, Inc.*, 312 F.R.D. 23, 30 (D.D.C. 2015) (“Because [the defendant] responded to some motions and not others, ... the Court is not inclined to excuse that failure as mere oversight”). Thus, this Court should deem Respondents to have consented to Petitioner’s motion.

There is no reason to delay a decision on Petitioner’s motion. It is undisputed that Petitioner will remain unremovable unless his TPS application is denied. Respondents’ Answer to Pet. for Writ of Habeas Corpus 4:10-12, ECF No. 12. Respondents do not contend that there is any basis for denial of Petitioner’s TPS application. *See id.* at 3:16-4:6. ICE should not be permitted to deprive someone of their liberty and hold them in jail on the remote possibility that they might someday become deportable. The “great writ” of habeas corpus is intended to provide relief from such unjust detention.

1 Petitioner has been detained without justification for nearly six months. Every day  
2 he is unlawfully detained compounds his injury and undermines the habeas remedy.  
3 Furthermore, there is no reason to believe that Petitioner is a flight risk. Before his  
4 detention, he scrupulously complied with all applicable ICE orders, and he intends to  
5 comply with all future requirements. As indicated in Petitioner's motion, his health has  
6 deteriorated to the point where further detention could cause him even more catastrophic  
7 health consequences. The facility where Petitioner is being detained is extremely  
8 overcrowded and detainees lack food, water, and basic hygienic items. Petitioner's  
9 immediate release would enable him to obtain the medical treatment he requires and  
10 ensure that his health is not compromised further by the conditions of his detention.

11 For the foregoing reasons, Petitioner requests an immediate order for his release on  
12 bail.

13  
14 The undersigned, counsel of record for Zuhir Zin Eddin, certify that this brief contains  
15 698 words, which complies with the word limit of L.R. 11-6.1.

16 DATED: August 21, 2025

17 Respectfully submitted,

18 /s/ Daniel T. Huang  
19 Daniel T Huang, Esq.

20 /s/ Paul Hoffman  
21 Paul Hoffman, Esq.

22 **Attorneys for Zuhir Zin Eddin**