

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

ISMOIL SAMADOV,)
)
 Petitioner,)
)
 v.)
)
 DONALD J. TRUMP, *et al.*,)
)
 Respondents.)
)
 _____)

Case No. 1:25-cv-1441 (PTG/WEF)

**FEDERAL RESPONDENTS' MEMORANDUM IN OPPOSITION TO
THE MOTION FOR A TEMPORARY RESTRAINING ORDER**

ERIK S. SIEBERT
UNITED STATES ATTORNEY

By: _____ */s/* _____
CHRISTIAN J. COOPER
Special Assistant United States Attorney
Office of the United States Attorney
2100 Jamieson Avenue
Alexandria, Virginia 22314
Tel: (703) 299-3831
Fax: (703) 299-3983
Email: Christian.Cooper@usdoj.gov
Counsel for Federal Respondents

BACKGROUND

In addition to filing a Petition for a Writ of Habeas Corpus, *see* Dkt. 1, on September 2, 2025, Petitioner Ismoil Samadov filed a motion for a temporary restraining order (“TRO”) seeking to restrain Immigration and Customs Enforcement (“ICE”) from removing Petitioner from the country while his underlying habeas petition pends with this Court. *See* Dkt. 2, at 1. That same day, this Court ordered that Petitioner shall not be removed from this Court’s jurisdiction or the United States unless and until the Court issues a contrary order. *See* Dkt. 3, at 1. Petitioner, therefore, has received the claimed relief he sought through his TRO, and this Court should deny Petitioner’s TRO as moot.

ARGUMENT

In his motion for a TRO, Petitioner requests that this Court enter an order staying his removal until this Court acts on his Petition for a Writ of Habeas Corpus. *See* Dkt. 1, at 1. Because this Court granted the relief Petitioner seeks by entering a subsequent order preventing his removal, *see* Dkt. 3, at 1, Petitioner’s motion for a TRO is moot.

It is well-established that, pursuant to Article III of the United States Constitution, this Court’s jurisdiction extends only to “cases or controversies.” U.S. Const. art. III; *see also Whitmore v. Arkansas*, 495 U.S. 149, 154-55 (1990) (“Article III, of course, gives the federal courts jurisdiction over only ‘cases or controversies’ . . .”). Part of the constitutional “case or controversy” requirement is that which has become known as the “mootness” doctrine, which provides generally that a “case or controversy” no longer exists “when the issues presented are no longer ‘live’ or the parties lack a legally cognizable interest in the outcome.” *Powell v. McCormack*, 395 U.S. 486, 496 (1969); *see also Mellen v. Bunting*, 327 F.3d 355, 363-64 (4th Cir. 2003). As the Supreme Court has repeatedly held, “[t]his case-or-controversy requirement subsists through all stages of

federal judicial proceedings, trial and appellate.” *Lewis v. Continental Bank*, 494 U.S. 472, 477-78 (1990); *see also Arizonans for Official English v. Arizona*, 520 U.S. 43, 66 (1997).

Petitioner filed his motion for a TRO on September 2, 2025, seeking to enjoin ICE from removing Petitioner while his habeas petition is pending with this Court. *See* Dkt. 1, at 1. That same day, this Court ordered that Petitioner shall not be removed until a contrary order from the Court. *See* Dkt. 3, at 1. Because this Court has provided the relief Petitioner seeks, there is no longer a “live” issue before this Court, and Plaintiff’s case has been rendered moot. *See Qui v. Mayorkas*, 2024 WL 329140, at *2 (E.D. Va. Jan. 29, 2024) (finding that the issue to compel USCIS to process an asylum application became moot after USCIS scheduled an interview on plaintiff’s asylum application); *Moiseyev v. Dep’t of Homeland Sec.*, 2024 WL 3201265, at *1 (W.D. Wash. June 24, 2024) (dismissing case as moot because “[plaintiff] has achieved the relief sought in the complaint: adjudication on his asylum application”); *Tu v. Mayorkas*, 2024 WL 2111551, at *3 (E.D.N.Y. May 10, 2024) (“[S]ince USCIS has adjudicated [plaintiff’s] Form I-589, this Court is unable to compel it to do so.”); *Yan Zheng v. Sessions*, 2018 WL 3040350, at *3 (M.D.N.C. June 19, 2018) (“the case is moot . . . as the requested relief—adjudication of the application—has already occurred”).

Accordingly, this Court should deny Petitioner’s TRO as moot.

CONCLUSION

For the foregoing reasons, Federal Respondents respectfully request that the Court deny the motion for a TRO as moot.

//

//

//

