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9 **United States District Court**
Central District of California

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11 Hossein Joudi-Haghighi
12 Petitioner,
13 v.
14 Kristi Noem, et al.
15 Respondents.

No. 5:25-cv-3315

**Application for Temporary
Restraining Order and
Preliminary Injunction**

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18 Simultaneously with this document, Hossein Joudi-Haghighi has
19 filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241.
20 Because he is almost certain to prevail on at least one of his claims, he
21 respectfully asks the Court to (1) issue a temporary restraining order
22 ordering Respondent to: (a) immediately release Petitioner from custody,
23 (b) refrain from removing Petitioner from the United States or taking him
24 from the Central District of California, (c) restore Petitioner to the status
25 quo prior to his detention by reinstating his prior order of supervision;
26 and (d) show cause why Petitioner's application for a preliminary

1 injunction should not be granted; and (2) ultimately grant Petitioner a
2 preliminary injunction.

3 “A plaintiff seeking a preliminary injunction must establish that he
4 is likely to succeed on the merits, that he is likely to suffer irreparable
5 harm in the absence of preliminary relief, that the balance of equities tips
6 in his favor, and that an injunction is in the public interest.” *Planned*
7 *Parenthood Great Northwest v. Labrador*, 122 F.4th 825, 843-44 (9th Cir.
8 2024) (quoting *Alliance for the Wild Rockies v. Cottrell*, 632 F.3d 1127,
9 1131 (9th Cir. 2011)). “Alternatively, a preliminary injunction may issue
10 where serious questions going to the merits were raised and the balance
11 of hardships tips sharply in plaintiff’s favor if the plaintiff also shows
12 that there is a likelihood of irreparable injury and that the injunction is
13 in the public interest.” *Id.* at 844 (quoting *Alliance for the Wild Rockies*,
14 632 F.3d at 1135). The standards for granting a temporary restraining
15 order are the same as the standards for granting a preliminary
16 injunction. See *O.M. v. Nat’l Women’s Soccer League, LLC*, 541 F. Supp.
17 3d 1171, 1177 (D. Or. 2021).

18 First, Joudi-Haghighi is almost certain to succeed on the merits of
19 his habeas petition for the reasons set forth in his petition. And this
20 factor, after all, is “the most important factor.” *Chamber of Commerce of*
21 *the United States v. Bonta*, 62 F.4th 473, 481 (9th Cir. 2023) (quoting
22 *California ex. Rel. Becerra v. Azar*, 950 F.3d 1067, 1083 (9th Cir. 2020) en
23 banc)).

24 Second, illegal confinement is quintessentially irreparable harm,
25 because “the deprivation of constitutional rights unquestionably
26

1 constitutes irreparable injury.” *Melendres v. Arpaio*, 695 F.3d 990, 1002
2 (9th Cir. 2012).

3 Third, and finally, when the government is a party, as it is here,
4 “the balance of equities and public interest factors merge.” *Pimentel-*
5 *Estrada v. Barr*, 464 F. Supp. 3d 1225, 1237 (W.D. Wash. 2020) (citing
6 *Drakes Bay Oyster Co. v. Jewell*, 747 F.3d 1073, 1092 (9th Cir. 2014)). The
7 risk of harm to Joudi-Haghighi far outweighs the government’s interest
8 in illegally detaining him, for it is “always in the public interest to
9 prevent the violation of a party’s constitutional rights.” *Melendres*, 695
10 F.3d at 1002.

11 Therefore, the Court should:

- 12 (1) Immediately grant Petitioner a temporary restraining order,
13 and order Respondent to:
- 14 a. Immediately release Petitioner from custody;
 - 15 b. Refrain from removing Petitioner from the United States or
 - 16 taking him from the Central District of California;
 - 17 c. Restore Petitioner to the status quo prior to his re-
 - 18 detention by reinstating his prior order of supervision; and
 - 19 d. Show cause why Petitioner’s application for a preliminary
 - 20 injunction should not be granted.
- 21 (2) Ultimately grant Petitioner a preliminary injunction.

22 Lastly, Federal Rule of Civil Procedure 65(c) requires that, prior to
23 granting injunctive relief, the Court require a movant to pay security “in
24 an amount that the court considers proper to pay the costs and damages
25 sustained by any party found to have been wrongfully enjoined or
26 restrained.” Fed. R. Civ. P. 65(c). This rule “invests the district court with

1 discretion as to the amount of security required, if any.” *Johnson v.*
2 *Couturier*, 572 F.3d 1067, 1086 (9th Cir. 2009) (quoting *Jorgensen v.*
3 *Cassiday*, 320 F.3d 906, 919 (9th Cir. 2003)) (internal quotation marks
4 omitted). The Court should waive the bond requirement here, as it is
5 unlikely that the government will incur any significant cost and requiring
6 a bond “would have a negative impact on plaintiff’s constitutional rights,
7 as well as the constitutional rights of other members of the public.” *Baca*
8 *v. Moreno Valley Unified Sch. Dist.*, 936 F. Supp. 719, 738 (C.D. Cal.
9 1996) (citation omitted).

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11 Respectfully submitted,
12 Cuauhtemoc Ortega
13 Federal Public Defender

14 Dated: December 9, 2025

15 By: /s/
Jonathan C. Aminoff
Deputy Federal Public Defender

16 Proposed Attorneys for Petitioner
Hossein Joudi-Haghighi
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1 Joudi-Haghighi was not provided notice as to why his
2 supervision was being revoked, he was not afforded an interview
3 to address any alleged violations, and to his knowledge there are
4 no changed circumstances that would justify a revocation of his
5 supervision.

6 d. In November 2025, Mr. Joudi-Haghighi met with a man at the
7 Adelanto Detention Facility who Mr. Joudi-Haghighi understood
8 to be representative of the Iranian government. Mr. Joudi-
9 Haghighi understood from his discussion with this person that
10 the Iranian government would not be issuing travel documents
11 to Mr. Joudi-Haghighi. Based on my own investigation and
12 conversations with several other Iranian detainees, I believe this
13 person was likely Abolfazl Mehrabadi, the Director of the
14 Interests Section of the Islamic Republic of Iran who apparently
15 visited Adelanto in November 2025.

16 e. During his incarceration at Adelanto, ICE officials compelled
17 Mr. Joudi-Haghighi to call, what he understood to be, the
18 Iranian consulate. The purpose of this call was to find out
19 whether Mr. Joudi-Haghighi could be issued travel documents.
20 The official Mr. Joudi-Haghighi spoke with informed him that
21 the Iranian government would not issue travel documents for
22 Mr. Joudi-Haghighi. Based on my conversations with other
23 Iranian detainees, I believe the call Mr. Joudi-Haghighi was
24 compelled to make was likely to the Iranian Interests Section at
25 the Foreign Consular Office in Washington D.C.

26 f. Mr. Joudi-Haghighi has been in ICE custody continuously since
his arrest on June 9, 2025.

- 1 4. I have spoken at length with Mr. Joudi-Haghighi about the facts
2 stated above and the pleadings I envisioned filing for him. With Mr.
3 Joudi-Haghighi's authorization, I prepared and am filing a federal
4 habeas corpus petition challenging his detention under 28 U.S.C. §
5 2241 and other related documents in this Court as his proposed
6 counsel. I assisted him with these documents so that he could raise
7 his claims in this Court before they became moot by virtue of his
8 deportation or before he could be transferred from the district. The
9 FPD remains limited in its ability to represent Mr. Joudi-Haghighi
10 until formally appointed by the Court.
- 11 5. Mr. Joudi-Haghighi is one of dozens of detainees who has either
12 personally contacted my office, or has been referred to my office by a
13 prior counsel or agency, or whose family has contacted my office
14 seeking assistance in challenging his detention. The volume of
15 requests is increasing, and my office is endeavoring to assist all
16 detainees who appear to have viable claims for habeas relief.
- 17 6. On December 5, 2025, I emailed Assistant United States Attorney
18 Daniel Beck, who I understand to be Chief of the Complex and
19 Defensive Litigation Section, the unit tasked with defending the
20 government in these matters. I informed AUSA Beck that I intended
21 to file this application, and the other documents filed concurrently
22 herewith. Additionally, AUSA Beck and I had a lengthy telephone
23 conversation on December 5, 2025 in which we discussed this
24 application. My understanding from our conversation is that the
25 government will oppose this application. AUSA Beck's contact
26 information is:

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Daniel A. Beck, Assistant United States Attorney
Chief, Complex and Defensive Litigation Section
United States Attorney's Office, Central District of California
300 N. Los Angeles Street, Suite 7516, Los Angeles, CA 90012
T: (213) 894-2574; E-mail: daniel.beck@usdoj.gov

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on December 8, 2025 at Los Angeles, California.

/s/ Jonathan C. Aminoff
Jonathan C. Aminoff

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**United States District Court
Central District of California**

Hossein Joudi-Haghighi,
Petitioner,
v.
Kristi Noem, et al.
Respondents.

No. 5:25-cv-3315
**[Proposed] Temporary
Restraining Order and Order to
Show Cause Why Preliminary
Injunction Should Not Issue**

Upon consideration of Petitioner’s Application for Temporary Restraining Order and Preliminary Injunction, all material submitted in support thereof, all the documents in the record on this matter, and the applicable law, the Court finds that Petitioner is likely to succeed on the merits of his claim that he is being detained unlawfully, that he is likely to suffer irreparable harm due to his unlawful detention, that the balance of equities tips in his favor, and that an injunction is in the public interest.

It is therefore hereby **ORDERED** that the application for a temporary restraining order (“TRO”) is **GRANTED**.

1 Until further order of this Court, Respondents are hereby ordered
2 to:

- 3 (1) Immediately release Petitioner from custody;
- 4 (2) Refrain from removing Petitioner or taking him from the
5 Central District of California;
- 6 (3) Restore Petitioner to the status quo prior to him re-detention
7 by reinstating her prior order of supervision; and
- 8 (4) Show cause why Petitioner’s application for a preliminary
9 injunction should not be granted.

10 Because the same considerations justifying this TRO will continue
11 to affect Petitioner throughout the time of litigating this habeas petition,
12 this Court finds good cause under Fed. R. Civ. Pro. 65(b)(2) to extend this
13 TRO beyond 14 days. This Court therefore **ORDERS** that this TRO is
14 effective until this Court issues a final decision on Petitioner’s application
15 for a preliminary injunction.

16 The Court waives the discretionary security bond contemplated by
17 Federal Rule of Civil Procedure 65(c) because it is unlikely that the
18 government will incur any significant cost and requiring a bond “would
19 have a negative impact on plaintiff’s constitutional rights, as well as the
20 constitutional rights of other members of the public.” *Baca v. Moreno*
21 *Valley Unified Sch. Dist.*, 936 F. Supp. 719, 738 (C.D. Cal. 1996) (citation
22 omitted); *see also Johnson v. Couturier*, 572 F.3d 1067, 1086 (9th Cir.
23 2009).

24 IT IS SO ORDERED.

25
26 Dated: _____

Honorable
United States District Judge