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11 UNITED STATES DISTRICT COURT
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA
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15 PEDRO GARCIA DUARTE,

16 Petitioner,

17 v.

18 WARDEN OF ADELANTO
DETENTION FACILITY, *et al.*,

19 Respondents.
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No. 5:25-cv-03319-SPG-KES

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

Hon. Sherilyn Peace Garnett
United States District Judge

1 On December 23, 2025, the Court issued an order [Dkt. 11] providing that the
2 Respondents are enjoined from continuing to detain the Petitioner unless he is provided a
3 bond hearing before an immigration judge pursuant to 8 U.S.C. § 1226(a) within seven
4 days. The Court's order further required Respondents to show cause as to why a
5 preliminary injunction should not issue. Respondents hereby show such cause.

6 Petitioner's bond hearing was scheduled at the Adelanto Immigration Court on
7 December 30, 2025. At the hearing, Petitioner was granted bond in the amount of
8 \$7,500. *See* Order of the Immigration Judge in the Matter of Pedro Garcia Duarte, dated
9 Dec. 30, 2025, attached hereto as Exhibit A. Respondents anticipate that Petitioner will
10 post bond and be released from ICE custody imminently.

11 Providing the Petitioner with the 1226(a) bond hearing moots the requested
12 preliminary injunction and this habeas petition more generally. *See, e.g., Javier Gonzales*
13 *et al. v. Kristi Noem et al.*, 5:25-cv-02054-ODW-BFM, Dkt. no. 16 (August 25, 2025
14 minute order by Hon. Judge Wright, denying as moot the petitioners' pending request for
15 a preliminary injunction given their receipt pursuant to a TRO of 1226(a) bond hearings
16 and issuing the petitioners an order to show cause re: dismissal); Dkt. no. 17 (notice of
17 voluntary dismissal); and Dkt. no. 18 (order dismissing petition). *See also Edgar*
18 *Becerra Ortiz v. Todd Lyons et al.*, 2:25-cv-09831-MWC-KES, Dkt. no. 7 (October 21
19 order by this Court granting TRO for § 1226(a) bond hearing within seven days was
20 followed by a voluntary dismissal). Respondents believe the issue is mooted by the
21 TRO's issuance [Dkt. 11] and the subsequent provision of the bond hearing.

22 Accordingly, the OSC re: preliminary injunction should be discharged, and the
23 Petitioner should either voluntarily dismiss the Petition or else be required to respond to
24 an OSC re: Dismissal.

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Dated: December 30, 2025

Respectfully submitted,
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