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

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15 YEMANE BERHANE
WOLDEGABRIEL,
16
17 Petitioner,
18 v.
19 KRISTI NOEM, *et al.*,
20 Respondents.

No. 5:25-cv-03369-ODW-PVC

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

Honorable Otis D. Wright II
United States District Judge

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1 **RESPONDENTS' RESPONSE TO OSC RE: PRELIMINARY INJUNCTION**

2 On December 19, 2025, the Court issued an order [Dkt. 8] providing that the
3 Respondents were enjoined from continuing to detain Petitioner and further directing
4 Respondents to release Petitioner “immediately.” Dkt. 8 at 8. The Court’s order further
5 required Respondents to show cause as to why a preliminary injunction should not issue.
6 Respondents hereby show such cause.

7 Pursuant to the Court’s order, Petitioner was released from the custody of U.S.
8 Immigration and Custom’s Enforcement (“ICE”) on December 19, 2025 (the same day
9 as the Court’s order. Accordingly, this moots the requested preliminary injunction and
10 this habeas petition more generally. *See, e.g., Munoz v. Rowland*, 104 F.3d 1096, 1097–
11 98 (9th Cir. 1997) (“Because [the petitioner] has been released ..., we can no longer
12 provide him the primary relief sought in his habeas corpus petition.”).

13 While Respondents were on the cusp of filing what they believed to be a timely
14 response under the Court’s TRO briefing rules, the issue has been mooted in any event
15 by the TRO’s issuance [Dkt. 8] and the subsequent release of Petitioner from ICE
16 custody.

17 Accordingly, the OSC re: preliminary injunction should be discharged, and
18 Petitioner should either voluntarily dismiss his Petition or else be required to respond to
19 an OSC re: Dismissal.

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Dated: December 26, 2025

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