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

14 TUAN BUI,
15 Petitioner,
16 v.
17 KRISTI NOEM, *et al.*,
18 Respondents.

No. 5:25-cv-03370-RGK-AJR
**FEDERAL RESPONDENTS' ANSWER
TO PETITION**
Honorable A. Joel Richlin
United States Magistrate Judge

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RESPONSE TO PETITION

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2 On December 16, 2025, the Court issued an order [Dkt. 11] requiring a response
3 to the Petition in this case. In the interim, however, on December 30, 2025, Judge
4 Klausner granted Petitioner’s application for temporary restraining order [Dkt. 16],
5 requiring the immediate release of the Petitioner, and set preliminary injunction briefing
6 as well.

7 Accordingly, Respondents respectfully submit that resolution of the substantive
8 merits of this case through preliminary injunctive relief presided over by the District
9 Judge moots the Petition. *See, e.g., Munoz v. Rowland*, 104 F.3d 1096, 1097–98 (9th Cir.
10 1997) (“Because [the petitioner] has been released ..., we can no longer provide him the
11 primary relief sought in his habeas corpus petition.”); *Whitmore v. Arkansas*, 495 U.S.
12 149, 158 (1990) (“Each of these cases demonstrates what we have said many times
13 before and reiterate today: Allegations of possible future injury do not satisfy the
14 requirements of Art. III. A threatened injury must be ‘certainly impending’ to constitute
15 injury in fact.”); *Moises Salomon Zaragoza Mosqueda v. Kristi Noem et al.*, 5:25-cv-
16 002304-CAS-BFM, Dkt. no. 15 (September 17, 2025 minute order by Hon. Judge
17 Snyder, denying preliminary injunction and issuing OSC re dismissal for mootness given
18 the petitioners’ receipt of immigration bond hearings); *Coc Tut v. Kristi Noem*, 5:25-cv-
19 02701-DOC (October 30, 2025 order denying preliminary injunction as moot and issuing
20 OSC re: dismissal where bond hearings were provided to detainees pursuant to TRO);
21 *J.P. v. Santacruz*, No. 8:25-CV-01640-FWS-JC, 2025 WL 2998305, at *4 (C.D. Cal.
22 Oct. 24, 2025) (petitioner “fail[ed] to sufficiently allege an injury or threat of injury
23 because the event giving rise to the Petition has passed and Petitioner’s alleged threat of
24 future injury is too speculative and unripe”).

25 Should this Court disagree, however, the Respondents respectfully request that a
26 briefing schedule be set for any remaining issues identified by the Court.
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1 Dated: December 30, 2025

Respectfully submitted,

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