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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.  
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No. 5:25-cv-03370-RGK-AJR

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

Honorable R. Gary Klausner  
United States District Judge

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1 On December 30, 2025, the Court issued an order granting Petitioner’s application  
2 for temporary restraining order [Dkt. 16], requiring the immediate release of the  
3 Petitioner. The Court’s order further required Respondents to show cause as to why a  
4 preliminary injunction should not issue. Respondents hereby show such cause.

5 Pursuant to the Court’s order, Petitioner was released from ICE custody on  
6 December 31, 2025. Accordingly, Respondents respectfully submit that this moots the  
7 Petition. *See, e.g., Munoz v. Rowland*, 104 F.3d 1096, 1097–98 (9th Cir. 1997)  
8 (“Because [the petitioner] has been released ..., we can no longer provide him the  
9 primary relief sought in his habeas corpus petition.”); *Whitmore v. Arkansas*, 495 U.S.  
10 149, 158 (1990) (“Each of these cases demonstrates what we have said many times  
11 before and reiterate today: Allegations of possible future injury do not satisfy the  
12 requirements of Art. III. A threatened injury must be ‘certainly impending’ to constitute  
13 injury in fact.”); *Zaragoza Mosqueda v. Noem et al.*, 5:25-cv-002304-CAS-BFM, Dkt.  
14 15 (September 17, 2025 minute order by Hon. Judge Snyder, denying preliminary  
15 injunction and issuing OSC re dismissal for mootness given the petitioners’ receipt of  
16 immigration bond hearings); *Coc Tut v. Noem*, 5:25-cv-02701-DOC, Dkt. 13 (October  
17 30, 2025 order denying preliminary injunction as moot and issuing OSC re: dismissal  
18 where bond hearings were provided to detainees pursuant to TRO); *J.P. v. Santacruz*,  
19 No. 8:25-CV-01640-FWS-JC, 2025 WL 2998305, at \*4 (C.D. Cal. Oct. 24, 2025)  
20 (petitioner “fail[ed] to sufficiently allege an injury or threat of injury because the event  
21 giving rise to the Petition has passed and Petitioner’s alleged threat of future injury is too  
22 speculative and unripe”).

23 Should this Court disagree, however, the Respondents respectfully request that a  
24 briefing schedule be set for any remaining issues identified by the Court.

