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

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15 AMBARTSOUM POGOSIAN,
16 Petitioner,
17 v.
18 KRISTI NOEM; *et al*,
19 Respondents.

No. 5:25-cv-03380-DOC-DTB

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

Hon. David O. Carter
United States District Judge

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

2 On December 31, 2025, the Court issued an order [Dkt. 6] providing that the
3 Respondents were enjoined from continuing to detain Petitioner and further directing
4 Respondents to release Petitioner “on or before January 7, 2026 at 5:00 p.m. Pacific
5 Standard Time.” Dkt. 6 at 8. The Court’s order further required Respondents to show
6 cause as to why a preliminary injunction should not issue. Respondents hereby show
7 such cause.

8 Pursuant to the Court’s order, Petitioner was released from the custody of U.S.
9 Immigration and Custom’s Enforcement (“ICE”) on January 6, 2026. Accordingly, this
10 moots the requested preliminary injunction and this habeas petition more generally. *See,*
11 *e.g., Munoz v. Rowland*, 104 F.3d 1096, 1097–98 (9th Cir. 1997) (“Because [the
12 petitioner] has been released ..., we can no longer provide him the primary relief sought
13 in his habeas corpus petition.”); *Moises Salomon Zaragoza Mosqueda v. Kristi Noem et*
14 *al.*, 5:25-cv-002304-CAS-BFM, Dkt. no. 15 (September 17, 2025 minute order by Hon.
15 Judge Snyder, denying preliminary injunction and issuing OSC re dismissal for
16 mootness given the petitioners’ receipt of immigration bond hearings); and Dkt. no. 16
17 (notice of voluntary dismissal); *Coc Tut v. Kristi Noem*, 5:25-cv-02701-DOC (October
18 30, 2025 order denying preliminary injunction as moot and issuing OSC re: dismissal
19 where bond hearings were provided to detainees pursuant to TRO); *Iron Arrow Honor*
20 *Society v. Heckler*, 464 U.S. 67, 70 (1983); *United States v. Geophysical Corp. of*
21 *Alaska*, 732 F.2d 693, 698 (9th Cir. 1984) (“We cannot take jurisdiction over a claim as
22 to which no effective relief can be granted.”).

23 Accordingly, the OSC re: preliminary injunction should be discharged, and the
24 case dismissed as moot.

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Dated: January 6, 2026

Respectfully submitted,

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