

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Mukhamadii Abduvakhidov v. Warden, Golden State Annex
Detention Facility, et al.

Abduvakhidov · No. 1:25-cv-01060-EPG-HC · Decided January 5, 2026

SUMMARY

The court ordered supplemental briefing in a habeas corpus petition challenging the petitioner's prolonged immigration detention. The court noted that the Board of Immigration Appeals had dismissed the Department of Homeland Security's appeal, making the removal order administratively final and potentially shifting the detention authority from 8 U.S.C. § 1225(b) to § 1231. Respondents were ordered to address the applicable detention authority and the effect of the BIA's dismissal, and the petitioner was permitted to respond.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	January 5, 2026
DOCKET	1:25-cv-01060-EPG-HC
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner filed a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging prolonged immigration detention without a bond hearing. After respondents answered that the Board of Immigration Appeals appeal remained pending, the court observed that the BIA had apparently dismissed the appeal and ordered supplemental briefing concerning the current statutory basis for detention and the effect of that dismissal.
STANDARD OF REVIEW	The court independently considered sua sponte whether the case remained moot because federal jurisdiction is limited to actual, ongoing cases or controversies.
PRECEDENTIAL VALUE	Nonprecedential interlocutory district-court order
PARTIES	Mukhamadii Abduvakhidov v. Warden, Golden State Annex Detention Facility, et al.

TOPICS

immigration detention

federal habeas corpus

removal proceedings

subject matter jurisdiction

immigration

PRACTICE AREAS

Immigration

Federal habeas corpus

Immigration detention

Civil procedure

QUESTIONS PRESENTED

1. Whether the apparent dismissal of DHS's BIA appeal made petitioner's removal order administratively final and changed the statutory provision governing his detention.
2. Whether the apparent change from detention under 8 U.S.C. § 1225(b) to detention under 8 U.S.C. § 1231(a) affected the justiciability or potential mootness of the § 2241 habeas petition.
3. What supplemental briefing was necessary to determine the current detention authority and the effect of the BIA's dismissal.

HOLDINGS

1. Because the available EOIR information indicated that the BIA had dismissed DHS's appeal, potentially making the removal order administratively final and shifting petitioner's detention authority to 8 U.S.C. § 1231, the court ordered respondents to provide supplemental briefing on the current statutory basis for detention and the effect of the dismissal.
2. A federal court has an independent duty to consider sua sponte whether a habeas case remains moot, and federal jurisdiction requires an actual, ongoing case or controversy throughout the litigation.

KEY QUOTATIONS

“The Court has “an independent duty to consider sua sponte whether a case is moot.”” (at 2)

“The BIA’s dismissal made Petitioner’s removal order administratively final, shifting the statutory provision governing Petitioner’s detention . . . to 8 U.S.C. § 1231.” (at 2)

FACTUAL BACKGROUND

An immigration judge ordered Mukhamadii Abduvakhidov removed but granted withholding of removal to Kyrgyzstan. DHS appealed the withholding determination to the BIA. The court's review of the EOIR Automated Case Information Tool indicated that the BIA dismissed the appeal on December 1, 2025, potentially making the removal order administratively final and changing the statutory authority for petitioner's detention from 8 U.S.C. § 1225(b) to § 1231.

PROCEDURAL HISTORY

The petition challenged detention respondents characterized as mandatory under 8 U.S.C. § 1225(b)(2). Respondents reported that an immigration judge had ordered petitioner removed but granted withholding of removal to Kyrgyzstan, and that DHS had appealed the withholding determination to the BIA. The court reviewed the EOIR case-information system, which indicated that the BIA dismissed DHS's appeal on December

1, 2025, potentially making the removal order administratively final and shifting the detention authority to 8 U.S.C. § 1231. The court ordered respondents to file a supplemental brief and permitted petitioner to respond.

DISPOSITION

other

CASES CITED

- Avilez v. Garland, 69 F.4th 525, 529 (9th Cir. 2023)
- Johnson v. Arteaga-Martinez, 596 U.S. 573, 575 (2022)
- J.L. v. Decker, No. 1:22-CV-2853-MKV, 2024 WL 232115, at *1 (S.D.N.Y. Jan. 22, 2024)
- Demery v. Arpaio, 378 F.3d 1020, 1025 (9th Cir. 2004)
- Dittman v. California, 191 F.3d 1020, 1025 (9th Cir. 1999)
- Lewis v. Continental Bank Corp., 494 U.S. 472, 477 (1990)
- Spencer v. Kemna, 523 U.S. 1, 7 (1998)
- Inamzhon v. Warden of Golden State Annex, No. 1:25-cv-01059-SKO (HC), 2025 WL 3080525, at *2–3

OPINION

1 2 3 4 5 6 UNITED STATES DISTRICT COURT 7 EASTERN DISTRICT OF CALIFORNIA 8
9 MUKHAMADII ABDUVAKHIDOV, Case No. 1:25-cv-01060-EPG-HC 10 Petitioner, ORDER
FOR SUPPLEMENTAL BRIEFING 11 v. 12 WARDEN, GOLDEN STATE ANNEX
DETENTION FACILITY, et al., 13 Respondents. 14 15 Petitioner is proceeding pro se with a
petition for writ of habeas corpus pursuant to 28 16 U.S.C. § 2241 that challenges his prolonged
immigration detention absent a bond hearing.

(ECF 17 No. 1.) The parties have consented to the jurisdiction of a United States magistrate judge.
(ECF 18 Nos. 9, 10, 12.) 19 In the answer, filed on October 24, 2025, Respondents stated an
immigration judge 20 ordered Petitioner removed, but granted withholding of removal to
Kyrgyzstan, that the 21 Department of Homeland Security (“DHS”) appealed the grant of
withholding of removal to the 22 Board of Immigration Appeals (“BIA”), and “[t]hat appeal
remains pending.” (ECF No. 13 at 1 23 (citing ECF No. 13-1 at 3).) Attached as an exhibit was a
printout of the Executive Office of 24 Immigration Review’s (“EOIR”) Automated Case
Information Tool.

(ECF No. 13-1 at 22–24.) 25 Based on a recent review of the EOIR’s Automated Case Information
Tool, the BIA 26 appeal was dismissed on December 1, 2025. See EOIR Automated Case
Information Tool, 27 <https://acis.eoir.justice.gov/en/> (last visited Jan. 5, 2026). “An order of
removal made by the 1 immigration judge at the conclusion of proceedings under section 240 of
the Act shall become 2 final... [u]pon dismissal of an appeal by the Board of Immigration
Appeals[.]” 8 C.F.R. 3 § 1241.1(a).

4 “Four statutes grant the Government authority to detain noncitizens who have been 5 placed in removal proceedings”: 8 U.S.C. §§ 1225(b), 1226(a), 1226(c), and 1231(a). *Avilez v. Garland*, 69 F.4th 525, 529 (9th Cir. 2023) (footnote omitted).

In the answer, Respondents claim 7 that Petitioner is subject to mandatory detention pursuant to 8 U.S.C. § 1225(b)(2). (ECF No. 13 8 at 1.) “Section 241(a) of the Immigration and Nationality Act (INA), codified at 8 U.S.C. 9 § 1231(a), authorizes the detention of noncitizens who have been ordered removed from the 10 United States.” *Johnson v. Arteaga-Martinez*, 596 U.S. 573, 575 (2022). “The BIA’s dismissal 11 made Petitioner’s removal order administratively final, shifting the statutory provision governing 12 Petitioner’s detention... to 8 U.S.C. § 1231.” *J.L. v. Decker*, No. 1:22-CV-2853-MKV, 2024 13 WL 232115, at *1 (S.D.N.Y.

Jan. 22, 2024), appeal dismissed, No. 24-718, 2024 WL 3102857 14 (2d Cir. June 13, 2024). 15 The Court has “an independent duty to consider sua sponte whether a case is moot.” 16 *Demery v. Arpaio*, 378 F.3d 1020, 1025 (9th Cir. 2004) (citing *Dittman v. California*, 191 F.3d 17 1020, 1025 (9th Cir. 1999)).

The jurisdiction of federal courts is limited to “actual, ongoing cases 18 or controversies.” *Lewis v. Continental Bank Corp.*, 494 U.S. 472, 477 (1990). “This case-or- 19 controversy requirement subsists through all stages of federal judicial proceedings,” which 20 “means that, throughout the litigation, the plaintiff ‘must have suffered, or be threatened with, an 21 actual injury traceable to the defendant and likely to be redressed by a favorable judicial 22 decision.’” *Spencer v. Kemna*, 523 U.S. 1, 7 (1998) (quoting *Lewis*, 494 U.S. at 477).

23 Based on the EOIR’s Automated Case Information Tool, it appears that Petitioner’s 24 removal order is administratively final and Petitioner’s detention authority has shifted to § 1231. 25 Courts have found habeas petitions challenging prolonged detention under § 1225(b) are moot 26 once a petitioner is subject to detention under 8 U.S.C. § 1231(a)(2). See, e.g., *Inamzhon v. 27 Warden of Golden State Annex*, No. 1:25-cv-01059-SKO (HC), 2025 WL 3080525, at *2–3 1 Accordingly, IT IS HEREBY ORDERED that: 2 1.

Within fourteen (14) days of the date of service of this order, Respondents SHALL file a 3 supplemental brief addressing under which statutory provision Petitioner is currently 4 detained and the effect, if any, of the BIA’s dismissal of DHS’s appeal on the matters 5 before this Court; and 6 2. Within twenty-one (21) days of the date of service of Respondents’ supplemental brief, 7 Petitioner MAY file a response.

8 9 IT IS SO ORDERED. 10] Dated: _ January 5, 2026 [sf heey ll UNITED STATES MAGISTRATE JUDGE 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

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