

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

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. 6 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