

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Hung Huu Anh Hoang v. Kristi Noem et al.

Hoang · No. 5:25-cv-03177-JLS-RAO · Decided January 12, 2026

SUMMARY

The United States District Court for the Central District of California granted in part Hung Huu Anh Hoang’s renewed application for a temporary restraining order. The court found that ICE likely violated 8 C.F.R. § 241.13(i) by failing to provide a prompt informal interview after revoking Hoang’s release, ordered his immediate release subject to the conditions of his prior order of supervision, and enjoined inconsistent re-detention. The order also directed respondents to show cause why a preliminary injunction should not issue and set related briefing deadlines and a hearing.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Josephine L. Staton
JURISDICTION	United States District Court for the Central District of California
DECIDED	January 12, 2026
DOCKET	5:25-cv-03177-JLS-RAO
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner sought habeas and injunctive relief challenging his immigration detention after ICE revoked his release under an order of supervision. The court considered a renewed ex parte application for a temporary restraining order and granted it in substantial part, ordered Petitioner released, and ordered Respondents to show cause why a preliminary injunction should not issue.
STANDARD OF REVIEW	Temporary restraining orders and preliminary injunctions are governed by the Winter factors: likelihood of success on the merits, likelihood of irreparable harm, balance of equities, and public interest. Under the Ninth Circuit sliding-scale test, relief may also issue upon serious questions going to the merits, a sharply favorable balance of hardships, and satisfaction of the remaining Winter factors.
PRECEDENTIAL VALUE	Unpublished district-court order; limited persuasive value.

PARTIES

Hung Huu Anh Hoang v. Kristi Noem, Pamela Bondi, Thomas Giles, James Pilkington, Warden, Geo Group Inc.

TOPICS

immigration detention

injunctions

removal proceedings

administrative law

civil procedure

PRACTICE AREAS

immigration

administrative law

civil procedure

remedies

QUESTIONS PRESENTED

1. Whether ICE unlawfully revoked Hoang's release by failing to provide the prompt informal interview required by 8 C.F.R. § 241.13(i)(3).
2. Whether Hoang satisfied the requirements for temporary restraining-order relief.
3. Whether release from custody, rather than a belated interview, was the appropriate remedy for the procedural violation.
4. Whether a security bond was required under Federal Rule of Civil Procedure 65(c).

HOLDINGS

1. ICE likely violated 8 C.F.R. § 241.13(i)(3) by failing to conduct an initial informal interview promptly after returning Hoang to custody. A delay of more than one month was not prompt.
2. Hoang was entitled to temporary restraining-order relief because he showed serious questions going to the merits, a sharply favorable balance of hardships, irreparable harm, and that the public interest favored relief.
3. A belated interview would not cure the violation because the regulation requires the initial informal interview promptly after return to custody and in connection with the revocation process. The proper remedy was release from custody subject to the prior order of supervision.
4. No security bond was required because Respondents did not argue that a bond was necessary or identify a likely harm from the injunction.

KEY QUOTATIONS

"It is apparent that Hoang was not afforded any initial informal interview promptly after re-detention, so Hoang has established a likelihood of success on the merits with respect to his contention that ICE violated § 241.13." (7)

"The proper remedy is therefore Hoang's release from custody, thereby returning Hoang to the status quo before his release was improperly revoked." (10)

"Respondents are ORDERED to release Petitioner forthwith, subject to the conditions of his prior OSUP, and ENJOINED from re-detaining Petitioner in a manner inconsistent with their regulations." (11)

FACTUAL BACKGROUND

Hoang, a Vietnamese citizen who entered the United States in 1991, was subject to a final removal order issued in 2004. Because his removal could not be effectuated, he was released under an order of supervision and complied with check-in requirements for approximately twenty-one years. ICE detained him on October 28, 2025, revoked his release, and did not provide an informal interview until December 2, 2025. Hoang disputed the alleged supervision violations and maintained that Vietnam had not issued the travel documents necessary for his removal.

PROCEDURAL HISTORY

Hoang filed a habeas petition and an initial application for preliminary injunctive and temporary restraining-order relief on November 25, 2025. The court denied the initial application because it was unsupported by admissible evidence. Hoang filed a renewed TRO application with declarations on December 24, 2025. The court granted the renewed application, ordered his immediate release subject to the prior order of supervision, enjoined inconsistent re-detention, and set a preliminary-injunction hearing.

DISPOSITION

other

CASES CITED

- Lockheed Missile & Space Co. v. Hughes Aircraft Co., 887 F. Supp. 1320, 1323 (N.D. Cal. 1995)
- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 22 (2008)
- Jones v. H.S.B.C. (USA), 844 F. Supp. 2d 1099, 1100 (S.D. Cal. 2012)
- Granny Goose Foods, Inc. v. Brotherhood of Teamsters & Auto Truck Drivers Local No. 70 of Alameda County, 415 U.S. 423, 439 (1974)
- Alliance for the Wild Rockies v. Cottrell, 632 F.3d 1127, 1135 (9th Cir. 2011)
- Shell Offshore, Inc. v. Greenpeace, Inc., 709 F.3d 1281, 1291 (9th Cir. 2013)
- Nken v. Holder, 556 U.S. 418, 435 (2009)
- Ton v. Noem, No. 25-3348 (C.D. Cal. Dec. 22, 2025)
- Nguyen v. Scott, 796 F. Supp. 3d 703, 722-723 (W.D. Wash. 2025)
- M.S.L. v. Bostock, 2025 WL 2430267, at *11-*12 (D. Or. Aug. 21, 2025)
- Duong v. Noem, 2025 WL 3268414, at *3 (S.D. Cal. Nov. 24, 2025)
- Delkash v. Noem, 2025 WL 2683988, at *5 (C.D. Cal. Aug. 28, 2025)
- United States ex rel. Accardi v. Shaughnessy, 347 U.S. 260, 268 (1954)
- Diaz v. Kaiser, 2025 WL 1676854, at *3 (N.D. Cal. June 14, 2025)
- Hernandez v. Sessions, 872 F.3d 976, 995-996 (9th Cir. 2017)
- Jorge M. F. v. Wilkinson, 2021 WL 783561, at *3 (N.D. Cal. Mar. 1, 2021)
- Vargas v. Jennings, 2020 WL 5074312, at *4 (N.D. Cal. Aug. 23, 2020)
- Asghar Payman Farsi v. Kristi Noem, 2025 WL 3764075, at *3 (C.D. Cal. Dec. 19, 2025)

- Grigorian v. Bondi, 2025 WL 2604573, at *10 (S.D. Fla. Sept. 9, 2025)
- Ceesay v. Kurzdorfer, 781 F. Supp. 3d 137, 166 (W.D.N.Y. 2025)
- Jorgensen v. Cassiday, 320 F.3d 906, 919 (9th Cir. 2003)
- Barahona-Gomez v. Reno, 167 F.3d 1228, 1237 (9th Cir. 1999)

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