

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Lemount Thomas v. V. Araiza

Thomas v. Araiza · No. 5:24-cv-02300 AH (ADS) · Decided June 25, 2025

SUMMARY

The court issued an order to show cause regarding the apparent mootness of Lemount Thomas's habeas petition under 28 U.S.C. § 2241. Because Thomas was released from federal custody, the court ordered the parties to explain why the petition should not be dismissed and warned that failure to respond could result in dismissal.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Autumn D. Spaeth
JURISDICTION	United States District Court, Central District of California
DECIDED	June 25, 2025
DOCKET	5:24-cv-02300 AH (ADS)
DISPOSITION	other
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241; respondent moved to dismiss on mootness, exhaustion, and jurisdictional grounds, and the court issued an order to show cause regarding mootness.
PRECEDENTIAL VALUE	Unpublished, nonprecedential district court order; precedential status is unknown.
PARTIES	Lemount Thomas v. V. Araiza

TOPICS

- federal habeas corpus
- motions to dismiss
- civil procedure
- post-conviction relief

PRACTICE AREAS

- Federal habeas corpus
- Mootness
- Federal civil procedure

QUESTIONS PRESENTED

1. Whether Thomas's release from federal custody rendered his § 2241 petition moot.
2. Whether the parties should be required to show cause why the petition should not be dismissed as moot.

HOLDINGS

1. A habeas petition asserting claims fully resolved by the petitioner's release from custody is moot; Thomas's release made his petition appear moot.

KEY QUOTATIONS

“Habeas petitions that raise claims that were fully resolved by release from custody are moot.”

“The Parties are ORDERED to file a written response by July 2, 2025 why the Court should not recommend dismissal of this Petition on the ground of mootness.”

FACTUAL BACKGROUND

Thomas was in federal custody when he filed a § 2241 petition challenging the Bureau of Prisons' refusal to recommend him for home confinement under the Second Chance Act. Public Bureau of Prisons records indicated that he was released from custody on June 6, 2025. The court concluded that the release appeared to resolve the custody-related claim and potentially moot the petition.

PROCEDURAL HISTORY

Thomas filed a § 2241 petition alleging that the Bureau of Prisons refused to recommend him for home confinement under the Second Chance Act. Respondent moved to dismiss. After determining from publicly available Bureau of Prisons records that Thomas had been released from custody, the court ordered the parties to explain why the petition should not be dismissed as moot and warned that noncompliance could result in dismissal under Federal Rule of Civil Procedure 41(b).

DISPOSITION

other

CASES CITED

- Abdala v. INS, 488 F.3d 1061, 1065 (9th Cir. 2007)
- Murdock v. Martinez, No. 2:19-cv-01413 RSWL (SHK), 2019 WL 4138017, at *1 n.1 (C.D. Cal. June 26, 2019)
- Shaw v. Hahn, 56 F.3d 1128, 1129 n.1 (9th Cir. 1995)
- Bastidas v. Chappell, 791 F.3d 1155, 1162 (9th Cir. 2015)

OPINION

Lemount Thomas v. V. Araiza

PER CURIAM.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.: 5:24-cv-02300 AH (ADS) Date: June 25, 2025 Title: Lemount Thomas v. V. Araiza
Present: The Honorable Autumn D. Spaeth, United States Magistrate Judge Kristee Hopkins None
Reported Deputy Clerk Court Reporter / Recorder Attorney(s) Present for Petitioner(s):
Attorney(s) Present for Respondent(s): None Present None Present Proceedings: (IN
CHAMBERS) ORDER TO SHOW CAUSE RE:

MOOTNESS

Petitioner Lemount Thomas filed a Petition for Writ of Habeas Corpus by a Person in Federal Custody pursuant to 28 U.S.C. § 2241 (the “Petition”). (Dkt. No. 1.) Petitioner claims the Federal Bureau of Prisons (“BOP”) refused to recommend him for home confinement placement pursuant to the Second Chance Act (“SCA”). Respondent V. Araiza filed a Motion to Dismiss the Petition on mootness, exhaustion, and jurisdictional grounds.¹ A search of publicly available records reveals that Petitioner was released from BOP custody on June 6, 2025.² Habeas petitions that raise claims that were fully resolved by release from custody are moot. *Abdala v. INS*, 488 F.3d 1061, 1065 (9th Cir. 2007). In light of Petitioner’s release, the Petition appears to be moot. The Parties are ORDERED to file a written response by July 2, 2025 why the Court should not recommend dismissal of this Petition on the ground of mootness. ¹ The Petition names J. Doerer as the Respondent. At the time the Petition was filed, Petitioner was incarcerated at FCI II Victorville. As such, V. Araiza, Warden of FCI II Victorville, is the proper Respondent. ² The Court takes judicial notice of the information contained on the BOP inmate locator website. See *Murdock v. Martinez*, No. 2:19-cv-01413 RSWL (SHK), 2019 WL 4138017, at *1 n.1 (C.D. Cal. June 26, 2019) (citing *Shaw v. Hahn*, 56 F.3d 1128, 1129 n.1 (9th Cir. 1995)).

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Petitioner is expressly warned that his failure to timely comply with this Order may result in the Petition being dismissed for the reasons stated above, failure to prosecute, and/or failure to obey Court orders pursuant to Federal Rule of Civil Procedure 41(b).³ IT IS SO ORDERED. Initials of Clerk kh 3 This order is nondispositive. However, if Petitioner believes this order erroneously disposes of any of his claims or precludes any relief sought, he may file objections with the district judge within 20 days of the date of the order. See *Bastidas v. Chappell*, 791 F.3d 1155, 1162 (9th Cir. 2015); FED. R. CIV. P. 72.

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