

**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.

OPINION

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)). 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
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. 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 Initials of Clerk kh