

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

**Florin Tanasache, Inocencio Castro Martinez, Russell Gomez Dzul,
Jesus Rene Carranza Gutierrez, Robert Cruz Hernandez, Oscar
Efren Cadena Alonso, Demetrio Acosta Pena, and Javier Perez v.
Kristi Noem, Secretary, U.S. Department of Homeland Security,
Pamela Bondi, U.S. Attorney General, Todd Lyons, Acting Director,
Immigration and Customs Enforcement, Ernesto Santacruz Jr.,
Acting Director, Los Angeles Field Office, Immigration and Customs
Enforcement, Enforcement and Removal Operations, Fereti Semaia,
Warden, Adelanto ICE Processing Center, Executive Office for
Immigration Review, Immigration and Customs Enforcement, and
U.S. Department of Homeland Security**

Tanasache v. Noem · No. 5:25-cv-03159-JWH-AGR · Decided December 16, 2025

OPINION

1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 FOR THE CENTRAL DISTRICT OF
CALIFORNIA 9 10 FLORIN TANASACHE, Case No. 5:25-cv-03159-JWH-AGR INOCENCIO
CASTRO MARTINEZ, 11 RUSSELL GOMEZ DZUL, JESUS RENE CARRANZA ORDERS
TO SHOW CAUSE 12 GUTIERREZ, REGARDING (1) DISMISSAL OF ROBERT CRUZ
HERNANDEZ, THE PETITION; AND 13 OSCAR EFREN CADENA ALONSO, (2)
RESPONDENTS' FAILURE TO DEMETRIO ACOSTA PENA, and COMPLY WITH THE
COURT'S 14 JAVIER PEREZ, ORDER 15 Petitioners, 16 v. 17 KRISTI NOEM, Secretary, U.S.
Department of Homeland Security, 18 PAMELA BONDI, U.S. Attorney General, 19 TODD
LYONS, Acting Director, Immigration and Customs 20 Enforcement, ERNESTO SANTACRUZ
JR., Acting 21 Director, Los Angeles Field Office, Immigration and Customs 22 Enforcement,
Enforcement and Removal Operations, 23 FERETI SEMAIA, Warden, Adelanto ICE Processing
Center, 24 EXECUTIVE OFFICE FOR IMMIGRATION REVIEW, 25 IMMIGRATION AND
CUSTOMS ENFORCEMENT, and 26 U.S. DEPARTMENT OF HOMELAND SECURITY, 27
Respondents.

28 1 On November 24, 2025, Petitioners Florin Tanasache, Inocencio Castro 2|| Martinez, Russell
Gomez Dzul, Jesus Rene Carranza Gutierrez, Robert Cruz Hernandez, Oscar Efren Cadena
Alonso, Demetrio Acosta Pena, and Javier 4|| Perez filed a petition for writ of habeas corpus

pursuant to 28 U.S.C. § 2241.' 5|| The Petition requests that the Court grant the following relief: 6 e issue an Order that Petitioners shall not be transferred outside of the 7 Central District of California while this petition is pending; 8 e issue an Order to Show Cause directing Respondents to show cause 9 within three days why this Petition should not be granted; 10 e issue a Writ of Habeas Corpus requiring Respondents to release 11 Petitioners or to provide Petitioners with a bond hearing pursuant to 8 12 U.S.C. § 1226(a) within seven days; 13 e declare that Petitioners' detention is governed by 8 U.S.C. § 1226(a) and 14 that their detention under 8 U.S.C. § 1225(b) (2) is unlawful; and 15 e award Petitioners attorney's fees and costs under the Equal Access to 16 Justice Act, as amended, 28 U.S.C. § 2412, and on any other basis 17 justified under law." 18 On the same day that Petitioners filed their Petition, Petitioners filed an 19|| ex parte application for a temporary restraining order (1) directing Respondents || to release Petitioners from their custody or to provide Petitioners with 21|| individualized bond hearings before an immigration judge pursuant to 8 U.S.C. § 1226(a) within seven days of issuance of an Order; (2) declaring that 23|| Petitioners' detention is governed by 8 U.S.C. § 1226(a) and that their detention under 8 U.S.C. § 1225(b)(2) is unlawful; and (3) enjoining Respondents from 25 26 27|| 3 Pet. (the "Petition") [ECF No. 1]. ||?

Id, at 25:22-26:16. 1 transferring Petitioners out of this District pending the final resolution of this 2 case.3 3 After conducting a hearing on December 1, 2025, regarding Petitioners' 4 Application, the Court issued a TRO enjoining Respondents from continuing to 5 detain Petitioners unless Petitioners were provided bond hearings before an 6 immigration judge pursuant to 8 U.S.C. § 1226(a) by December 8, 2025.4 The 7 Court also directed Respondents to show cause in writing why the Court should 8 not issue a preliminary injunction.5 9 On December 9, 2025, Respondents filed a response to that order to show 10 cause in which they requested that the Court deny the preliminary injunction as 11 moot and issue an order to show cause why the Court should not dismiss the 12 Petition as moot.6 In their Response, Respondents represented that they 13 complied with the TRO with respect to six of the eight Petitioners by offering 14 those six Petitioners individualized bond hearings by December 8, 2025.7 With 15 respect to the remaining two Petitioners—Martinez and Pena—Respondents 16 admitted that they failed to comply with the TRO either to provide an 17 individualized bond hearing or to release those two Petitioners by December 8, 18 2025.8 19 20 3 Pets.' Ex Parte Appl. for Temporary Restraining Order (the "Application") [ECF No. 4].

21 4 Minute Order re Hr'g re Application (the "TRO") [ECF No. 10]. 22 5 Id. 23 6 Resps.' Resp. to Order to Show Cause re Preliminary Injunction (the 24 "Response") [ECF No. 11]. 25 7 Id. at 1:8-9. The Court notes that Respondents offered Petitioner Dzul a bond hearing by the seven-day deadline, but Dzul voluntarily requested a 26 postponement of that hearing until a later date.

Pets.’ Reply in Supp. of the 27 Application [ECF No. 12] 1:21-23. 28 1 During the December 15, 2025, hearing regarding the preliminary 2 injunction, Respondents’ counsel represented that the remaining two 3 Petitioners received bond hearings on December 12, 2025—i.e., four days late— 4 but Respondents’ counsel offered no satisfactory explanation why Respondents 5 failed to comply with the TRO in the first instance.

Accordingly, the Court 6 ORDERS Respondents to SHOW CAUSE why sanctions should not issue for 7 their failure to comply with this Court’s TRO. 8 Nevertheless, because all Petitioners had received bond hearings, during 9 the December 15, 2025, hearing the Court denied the preliminary injunction as 10 moot. “A case becomes moot when interim relief or events have deprived the 11 court of the ability to redress the party’s injuries.” *United States v. Alder Creek* 12 *Water Co.*, 823 F.2d 343, 345 (9th Cir.

1987) see also *NASD Disp. Resol., Inc. v.* 13 *Jud. Council*, 488 F.3d 1065, 1068 (9th Cir. 2007) (finding the appeal to be moot 14 when the plaintiffs were already granted the relief that they sought). Further, a 15 court has an obligation to consider mootness sua sponte, and it should deny the 16 requested relief when it is superfluous. See *In re Burrell*, 415 F.3d 994, 997 (9th 17 Cir.

2005). Here, Petitioners requested ex parte relief in the form of bond 18 hearings or release from custody, and all Petitioners have now been afforded the 19 opportunity for a bond hearing. 20 Petitioners also request a declaration that “Petitioners’ detention is 21 governed by 8 U.S.C. § 1226(a) and that their detention under 8 U.S.C 22 § 1225(b)(2) is unlawful.”⁹ However, Petitioners, as members of the class 23 recently certified in *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873 (C.D.

24 Cal.), may already have received this very declaratory relief. 25 26 27 28 1 In view of the mootness of Petitioners’ preliminary injunction request and the proceedings in *Maldonado Bautista*, the Court ORDERS Petitioners to 3|| SHOW CAUSE why the Petition should not be dismissed as moot. 4 For the foregoing reasons, the Court hereby ORDERS as follows: 5 1.

Respondents are DIRECTED to show cause in writing by 6|| January 9, 2026, why the Court should not issue sanctions for Respondents’ || failure to comply with the Court’s TRO. 8 2. Petitioners are DIRECTED to show cause in writing by January 9, 9|| 2026, why the Court should not dismiss the entire case as moot. 10 3. Optional replies to each Order to Show Cause may be filed no later 11|| than January 23, 2026.

12 4. A hearing on the Orders to Show Cause is SET for February 6, 2026, at 9:00 a.m. Counsel of record for each party are DIRECTED to appear 14|| in person at that date and time in Courtroom 9D of the Ronald Reagan Federal 15|| Building and U.S. Courthouse, 411 W. 4th Street, Santa Ana, California. 16 IT IS SO ORDERED. 17 MUHA || Dated: December 16, 2025 19 GNITED STATES DISTRICT JUDGE 20 21 22 23 24 25 26 27 28

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