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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA (Eastern Division - Riverside)
CIVIL DOCKET FOR CASE #: 5:25-cv-03353-RGK-JDE**

Cuong Tu Hong v. Kristi Noem et al
Assigned to: Judge R. Gary Klausner
Referred to: Magistrate Judge John D. Early
Cause: 28:2241 Petition for Writ of Habeas Corpus (federal)

Date Filed: 12/12/2025
Date Terminated: 03/04/2026
Jury Demand: None
Nature of Suit: 463 Habeas Corpus -
Alien Detainee
Jurisdiction: U.S. Government Defendant

Petitioner

Cuong Tu Hong

represented by **Michael T. Drake**
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LEAD ATTORNEY
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V.

Respondent

Kristi Noem
Secretary of Homeland Security

represented by **Assistant 2241-194 US Attorney LA-CV**
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Respondent

Pamela J. Bondi
Attorney General of the United States

represented by **Assistant 2241-194 US Attorney LA-CV**
(See above for address)
*LEAD ATTORNEY
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OIL-DCS Trial Attorney
(See above for address)
*LEAD ATTORNEY
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Patrick James Kearney
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Respondent

Thomas Giles
*Los Angeles Field Office Director, Bureau
of Immigration and Customs Enforcement*

represented by **Assistant 2241-194 US Attorney LA-CV**
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Patrick James Kearney
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*LEAD ATTORNEY
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Respondent

James Pilkington
*Assistant Field Office Director, Adelanto
Detention Facility*

represented by **Assistant 2241-194 US Attorney LA-CV**
(See above for address)

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Patrick James Kearney
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Respondent

**Warden, Geo Group Inc, Adelanto
Detention Facility**

represented by **Assistant 2241-194 US Attorney LA-
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Patrick James Kearney
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*LEAD ATTORNEY
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Date Filed	#	Docket Text
12/12/2025	1	CIVIL COVER SHEET filed by Petitioner Cuong Tu Hong. (Drake, Michael) (Entered: 12/12/2025)
12/12/2025	2	PETITION for Writ of Habeas Corpus by a Person in Federal Custody (28 USC 2241), with In Forma Pauperis request, filed by Petitioner Cuong Tu Hong. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2) (Attorney Michael T. Drake added to party Cuong Tu Hong(pty:pet))(Drake, Michael) (Entered: 12/12/2025)
12/12/2025	3	APPLICATION for Temporary Restraining Order as to Detention and Removal <i>and Preliminary Injunction</i> filed by Petitioner Cuong Tu Hong. (Attachments: # 1 Proposed Order) (Drake, Michael) (Entered: 12/12/2025)
12/12/2025	4	REQUEST for Appointment of Counsel <i>and Request to Proceed in Forma Pauperis</i> filed by Petitioner Cuong Tu Hong. (Attachments: # 1 Proposed Order) (Drake, Michael) (Entered: 12/12/2025)
12/12/2025	5	NOTICE OF REFERENCE to a U.S. Magistrate Judge. This case has been assigned to the calendar of the Honorable District Judge Terry J. Hatter, Jr and referred to Magistrate Judge John D. Early, who is authorized to consider preliminary matters

		and conduct all further hearings as may be appropriate or necessary. Pursuant to Local Rule 83-2.4, the Court must be notified within five (5) days of any address change. See notice for additional details. (ghap) (Entered: 12/12/2025)
12/12/2025	6	ORDER RETURNING CASE FOR REASSIGNMENT by Judge Terry J. Hatter, Jr. ORDER case returned to the Clerk for random reassignment pursuant to General Order 23-05. Case randomly reassigned from Judge Terry J. Hatter, Jr to Judge R. Gary Klausner for all further proceedings. The case number will now reflect the initials of the transferee Judge 5:25-cv-03353-RGK-JDE. (lh) (Entered: 12/12/2025)
12/12/2025	7	ORDER by Magistrate Judge John D. Early: ORDER APPOINTING THE FEDERAL PUBLIC DEFENDER. GOOD CAUSE HAVING BEEN SHOWN, IT IS HEREBY ORDERED that the Office of the Federal Public Defender is appointed to represent Petitioner in this case. Petitioner shall also be permitted to proceed in forma pauperis. IT IS SO ORDERED. (aro) (Entered: 12/12/2025)
12/12/2025	8	ORDER REQUIRING ANSWER/RETURN TO PETITION by Magistrate Judge John D. Early. That Respondents Kristi Noem, Pamela J. Bondi, Thomas Biles, James Pilkington, and Warden, Geo Group Inc, Adelanto Detention Facility file Answer to the Petition not later than 1/9/2026. Notice: The court has issued a ruling on preliminary review. Pursuant to the Agreement on Acceptance of Service between the Clerk of Court and the United States Attorneys Office, this Notice constitutes service under Fed. R. Civ. P. 4. (Attachments: # 1 Petition for Writ of Habeas Corpus) (aro) (Entered: 12/12/2025)
12/12/2025	9	IN CHAMBERS ORDER by Judge R. Gary Klausner: ORDER DENYING PETITIONER Cuong Tu Hong's EX PARTE FOR TEMPORARY RESTRAINING ORDER 3 Petitioner seeks the Court's order for his immediate release and to reinstate his prior order of supervision. For the following reasons, the Court DENIES the Application (SEE DOCUMENT FOR SPECIFIC REASONS AS DISCUSSED HEREIN). (lc) (Entered: 12/12/2025)
12/12/2025	10	Second APPLICATION for Temporary Restraining Order as to Petitioner's detention and removal filed by Petitioner Cuong Tu Hong. (Attachments: # 1 Proposed Order granting renewed application for TRO and PI) (Drake, Michael) (Entered: 12/13/2025)
12/17/2025	11	IN CHAMBERS ORDER by Judge R. Gary Klausner: Order Re: Petitioner's Ex Parte Renewed Application for Temporary Restraining Order 10 . On December 12, 2025, the Court denied Petitioner's Application for Temporary Restraining Order, holding that Petitioner failed to meet the first element of the Mission Power test, and ex parte relief was not justified. (ECF No. 9.) On December 13, 2025, Petitioner filed the instant Renewed Application for TRO. Respondents have not opposed the Renewed Application. Petitioner seeks the Court's order for his immediate release and to reinstate his prior order of supervision. The Court DENIES the Renewed Application (SEE DOCUMENT FOR SPECIFICS AS DISCUSSED HEREIN). (lc) (Entered: 12/17/2025)
12/19/2025	12	REQUEST for Order for Setting Hearing on Order to Show Cause re: Preliminary Injunction filed by Petitioner Cuong Tu Hong. (Drake, Michael) (Entered: 12/19/2025)
12/19/2025	13	IN CHAMBERS ORDER by Judge R. Gary Klausner: Order Re: Request Pursuant

		to Local Rule 65-1 [DE 12] In light of the Court's denials of the TRO and renewed TRO (ECF Nos. 9, 11), Petitioner's request pursuant to Local Rule 65-1 to set a hearing on an order to show cause as to why a preliminary injunction should not be issued ("OSC"), based upon the renewed TRO application (ECF No. 10), without regard to the twenty-eight (28) days notice of motion requirement, is GRANTED. The Court sets the following briefing schedule: The Government shall file a Response by Monday, 12/22/2025 at 3:00 PM. Petitioner shall file any Reply thereto by Tuesday, 12/23/2025 at 3:00 PM. The matter will be deemed submitted without oral argument upon the filing of a reply or upon expiration of the reply deadline, whichever occurs first. The Court 's ruling (lc) Modified on 12/19/2025 (lc). (Entered: 12/19/2025)
12/23/2025	14	REPLY filed by Petitioner Cuong Tu Hong to Order on Motion for Order,, 13 (Drake, Michael) (Entered: 12/23/2025)
12/29/2025	15	IN CHAMBERS ORDER by Judge R. Gary Klausner: Order Re: Petitioner's Request for Preliminary Injunction 9 . Petitioner seeks the Court's order for his immediate release and to reinstate his prior order of supervision. On December 12 and 17, 2025, the Court denied Petitioner's original and renewed Ex Parte Application for a TRO, respectively. (ECF Nos. 9 11.) Petitioner now seeks a preliminary injunction on the same grounds as his renewed Application for a TRO. (See ECF Nos. 10, 12.) Respondents have filed no opposition or other response. The Court DENIES the Request for Preliminary Injunction (SEE DOCUMENT FOR SPECIFICS AS DISCUSSED HEREIN). (lc) (Entered: 12/29/2025)
12/29/2025	16	RESPONSE filed by Respondents Pamela J. Bondi, Thomas Giles, Kristi Noem, James Pilkington, Warden, Geo Group Inc, Adelanto Detention Facility to Reply 14 (Beck, Daniel) (Entered: 12/29/2025)
01/20/2026	17	MINUTE ORDER IN CHAMBERS by Magistrate Judge John D. Early: Order Directing Counsel to Confer and File Joint Status Report Within 14 Days. In light of the Order, Respondents failure to timely respond to the Petition, and Respondents stated view the release of Petitioner has rendered the Petition moot, the Court directs counsel for the parties to, within 14 days, (1) confer telephonically as to whether there can be a stipulated resolution to this matter in light of the Order and (2) file a Joint Status Report stating whether a stipulated resolution is anticipated and, if no such resolution can be reached, to specify what issues remain to be decided in the Petition. IT IS SO ORDERED. (SEE DOCUMENT FOR DETAILS) (aro) (Entered: 01/20/2026)
01/30/2026	18	STATUS REPORT filed by Petitioner Cuong Tu Hong. (Drake, Michael) (Entered: 01/30/2026)
01/30/2026	19	ORDER REQUIRING ANSWER/RETURN TO PETITION by Magistrate Judge John D. Early. That Respondent Kristi Noem file Answer to the Petition not later than 2/6/2026; James Pilkington file Answer to the Petition not later than 2/6/2026; Thomas Giles file Answer to the Petition not later than 2/6/2026; Pamela Bondi file Answer to the Petition not later than 2/6/2026; Warden, Geo Group Inc, Adelanto Detention Facility file Answer to the Petition not later than 2/6/2026. Notice: The court has issued a ruling on preliminary review. Pursuant to the Agreement on Acceptance of Service between the Clerk of Court and the United States Attorneys Office, this Notice constitutes service under Fed. R. Civ. P. 4. (Attachments: # 1 Petition for Writ of Habeas Corpus) (aro) (Entered: 01/30/2026)

02/09/2026	20	REPLY filed by Petitioner Cuong Tu Hong to Petition for Writ of Habeas Corpus, 2 (Drake, Michael) Modified on 2/13/2026 (aro). (Entered: 02/09/2026)
02/13/2026	21	MINUTES (IN CHAMBERS) by Magistrate Judge John D. Early: Order Directing Petitioner to File Response. In light of the current status of Petitioner's removal proceedings, within seven (7) days of this Order, Petitioner shall file either: (1) a written response addressing Respondents' contentions that the Petition fails to state an applicable claim given the procedural posture of Petitioner's removal proceedings, setting forth any factual and legal reasons for his position; or (2) a First Amended Petition raising claims tied to Petitioner's current detention status. IT IS SO ORDERED. (SEE DOCUMENT FOR DETAILS) (aro) (Entered: 02/13/2026)
02/17/2026	22	FIRST AMENDED PETITION against Petitioner Pamela J. Bondi, Thomas Giles, Kristi Noem, James Pilkington, Warden, Geo Group Inc, Adelanto Detention Facility amending Petition for Writ of Habeas Corpus, 2 , filed by Petitioner Cuong Tu Hong (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Drake, Michael) (Entered: 02/17/2026)
02/17/2026	23	MINUTE ORDER IN CHAMBERS by Magistrate Judge John D. Early: Order Directing Respondents to Respond to the Operative First Amended Petition (Dkt. 22). Respondents are ORDERED to file an Answer to the FAP within three court (3) days from the date of this Order, raising all defenses to the FAP, both merits-based and non-merits based. At the time the Answer is filed, Respondents shall lodge with the Court all records bearing on its arguments. The Court recognizes the somewhat shortened time period for the filing of such an Answer, but notes that: (a) Respondents are familiar with the case having previously set forth a position in the Status Report (Dkt. 18); (b) in that Status Report, Respondents raised the issue that resulted in the filing of the FAP; and (c) Respondents twice failed to file an Answer to the original Petition despite orders to do so. Petitioner may file a single reply responding to matters raised in the Answer within three (3) court days of the filing of the Answer. Any such reply shall not raise new grounds for relief that were not asserted in the FAP. This schedule is subject to any contrary order or ruling by the Honorable R. Gary Klausner, United States District Judge, relating to any other matter in this action. IT IS SO ORDERED. (SEE DOCUMENT FOR DETAILS) (aro) (Entered: 02/17/2026)
02/20/2026	24	Notice of Appearance or Withdrawal of Counsel: for attorney Patrick James Kearney counsel for Respondents Pamela J. Bondi, Thomas Giles, Kristi Noem, James Pilkington, Warden, Geo Group Inc, Adelanto Detention Facility. Adding Patrick J. Kearney as counsel of record for Respondents for the reason indicated in the G-123 Notice. Filed by Respondents Respondents. (Attorney Patrick James Kearney added to party Pamela J. Bondi(pty:res), Attorney Patrick James Kearney added to party Thomas Giles(pty:res), Attorney Patrick James Kearney added to party Kristi Noem(pty:res), Attorney Patrick James Kearney added to party James Pilkington(pty:res), Attorney Patrick James Kearney added to party Warden, Geo Group Inc, Adelanto Detention Facility(pty:res))(Kearney, Patrick) (Entered: 02/20/2026)
02/23/2026	25	REPLY filed by Petitioner Cuong Tu Hong to Amended Complaint/Petition, 22 (Drake, Michael) (Entered: 02/23/2026)
02/23/2026	26	Third APPLICATION for Temporary Restraining Order <i>and Preliminary Injunction</i>

		filed by Petitioner Cuong Tu Hong. (Attachments: # 1 Proposed Order) (Drake, Michael) (Entered: 02/23/2026)
02/24/2026	27	TEXT ONLY (IN CHAMBERS) ORDER by Judge John D. Early: As Respondents have failed to provide a substantive response to either the original Petition or the First Amended Petition ("FAP"), despite three (3) orders requiring such a response, counsel for Respondents are ORDERED TO APPEAR BY TELEPHONE, before Magistrate Judge Early, AT NOON on 2/25/26, to show cause why Petitioner's Request that Respondents' three failures to comply with Court Orders to respond to the operative petitions should not be deemed consent to the immediate granting of all relief sought in the operative FAP. Dial-in information for the call is: +1 (213) 374-0799; ID #: 461 093 362#. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (aro) TEXT ONLY ENTRY (Entered: 02/24/2026)
02/25/2026	28	MINUTES OF Show Cause Hearing held before Magistrate Judge John D. Early: Case called. Counsel make appearance. The Court and counsel discuss the status of the operative First Amended Petition ("FAP") as to which no Answer or other response has been filed by Respondents. Counsel for Respondents states that on the current record, Respondents do not oppose the primary relief requested in the FAP, that is immediate release from immigration custody without conditions. Counsel for Petitioner agrees that such release, without conditions, would provide all substantive relief requested in the FAP. Counsel for the parties further indicate no object to an order issued by the Honorable R. Gary Klausner, United States District Judge, directing such immediate release, with an order directing counsel for Respondents to file a status report confirming such release by 4:00 p.m. on February 26, 2026, upon which the action may properly be closed. Court Recorder: CS 02/25/26. (aro) (Entered: 02/25/2026)
02/25/2026	29	ORDER REGARDING FIRST AMENDED PETITION by Judge R. Gary Klausner: IT IS THEREFORE ORDERED that: (1) the Referral to the Magistrate Judge (Dkt. 5) is terminated. (2) Respondents are ordered to immediately release Petitioner from custody without conditions. (3) Respondents shall file a status report by 4:00 p.m. on February 26, 2026 confirming that Petitioner has been released, after which judgment shall be entered dismissing this action as moot.(4) The Application (Dkt. 26) is denied as moot. (lc) (Entered: 02/25/2026)
02/25/2026	30	NOTICE OF REASSIGNMENT OF CASE filed. Reference of case to Magistrate Judge John D. Early is vacated. Case transferred to the calendar of Magistrate Judge John D. Early for Discovery Pursuant to Order of the Court filed 02/25/2026, Dkt. 29. Case number will now read 5:25-cv-03353-RGK (JDEx). 29 (lh) (Entered: 02/25/2026)
02/26/2026	31	STATUS REPORT filed by Respondents Pamela J. Bondi, Thomas Giles, Kristi Noem, James Pilkington, Warden, Geo Group Inc, Adelanto Detention Facility. (Kearney, Patrick) (Entered: 02/26/2026)
03/02/2026	32	TEXT ONLY (IN CHAMBERS) ORDER by Judge John D. Early. Although Respondents advised on 2/26/26 that Petitioner is "on the final stage of release from custody and is confirmed to be released" that day and represented they "will file the release paperwork with the court [that day] confirming Petitioner's release," as of 4:00 p.m. on 3/2/26, no such confirmation of release has been filed. Respondents are ORDERED to file a confirmation that Petitioner has been released by noon on 3/3/26. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY.

		(aro) TEXT ONLY ENTRY (Entered: 03/02/2026)
03/03/2026	33	STATUS REPORT filed by Respondents Pamela J. Bondi, Thomas Giles, Kristi Noem, James Pilkington, Warden, Geo Group Inc, Adelanto Detention Facility. (Attachments: # 1 Exhibit Exhibit A Release Form)(Kearney, Patrick) (Entered: 03/03/2026)
03/04/2026	34	JUDGMENT by Judge R. Gary Klausner. IT HEREBY IS ORDERED, ADJUDGED, and DECREED that this action is DISMISSED as moot. (MD JS-6, Case Terminated). (chk) (Entered: 03/04/2026)

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