

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. 5:25-cv-03353-RGK-JDE Date December 12, 2025

Title *Cuong Tu Hong v. Kristi Noem et al*

Present: The Honorable R. GARY KLAUSNER, UNITED STATES DISTRICT JUDGE

Joseph Remigio	Not Reported	N/A
Deputy Clerk	Court Reporter / Recorder	Tape No.
Attorneys Present for Plaintiff: Not Present	Attorneys Present for Defendant: Not Present	

Proceedings: (IN CHAMBERS) Order Re: Petitioner’s *Ex Parte* Application for Temporary Restraining Order [3]

I. INTRODUCTION

On December 12, 2025, Cuong Tu Hong (“Petitioner”) filed a Petition for Writ of Habeas Corpus and the present Application for Temporary Restraining Order (“Application”) against Kristi Noem, Pamela J. Bondi, Thomas Giles, James Pilkington, and Warden, Geo Group Inc, Adelanto Detention Facility (collectively, “Respondents”). (ECF Nos. 2, 3.) Petitioner is a noncitizen who entered the United States as a refugee, was later ordered removed after pleading guilty to felony charges, and has been living in the United States under supervised release. (ECF No. 2.) Since September 11, 2025, Petitioner has been detained and in U.S. Immigration and Customs Enforcement (“ICE”) custody. (*Id.*)

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.

II. JUDICIAL STANDARD

To justify *ex parte* relief, the movant must show: (1) “why the . . . ultimate relief requested cannot be calendared in the usual manner[;]” and (2) that he is “without fault in creating the crisis that requires *ex parte* relief.” *Mission Power Eng’g Co. v. Cont’l Cas. Co.*, 883 F. Supp. 488, 492 (C.D. Cal. 1995).

III. DISCUSSION

Petitioner seeks the Court’s order requiring that Petitioner be immediately released on an order of supervision. However, Petitioner fails to meet the standard needed to justify *ex parte* relief.

Petitioner must show “why the accompanying proposed motion for the ultimate relief requested cannot be calendared in the usual manner. [T]he evidence must show that the moving party’s cause will

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be irreparably prejudiced if the underlying motion is heard according to regular noticed motion procedures.” *Mission Power Eng’g Co.*, 883 F. Supp. at 492.

Petitioner fails to establish why his *Ex Parte* Application cannot be calendared in the usual manner. It is not clear to the Court why Petitioner, who has been in custody for approximately three months, requires immediate action through the *ex parte* process. Petitioner alleges no facts that specify why the Court *must* grant him relief by way of the current Application or risk irreparable prejudice should the merits of the Application be heard according to the regular noticed motion procedures. Accordingly, Petitioner fails to meet the first element of the *Mission Power* test, and *ex parte* relief is not justified.

IV. CONCLUSION

For the foregoing reasons, Petitioner’s Application is **DENIED**.

IT IS SO ORDERED.

Initials of Preparer

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JRE/gz