

FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 13 2015

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ALEJANDRO RODRIGUEZ, for himself
and on behalf of a class of similarly-
situated individuals; ABDIRIZAK ADEN
FARAH, for himself and on behalf of a
class of similarly-situated individuals;
JOSE FARIAS CORNEJO; YUSSUF
ABDIKADIR; ABEL PEREZ RUELAS,

Petitioners - Appellees,

And

EFREN OROZCO,

Petitioner,

v.

TIMOTHY ROBBINS, Field Office
Director, Los Angeles District,
Immigration and Customs Enforcement;
JEH JOHNSON, Secretary, Homeland
Security; LORETTA E. LYNCH, Attorney
General; WESLEY LEE, Assistant Field
Office Director, Immigration and Customs
Enforcement; RODNEY PENNER,
Captain, Mira Loma Detention Center;
SANDRA HUTCHENS, Sheriff of Orange
County; NGUYEN, Officer, Officer-in-
Charge, Theo Lacy Facility; DAVIS
NIGHSWONGER, Captain, Commander,
Theo Lacy Facility; MIKE KREUGER,

No. 13-56706

D.C. No. 2:07-cv-03239-TJH-
RNB

ORDER

Captain, Operations Manager, James A. Musick Facility; ARTHUR EDWARDS, Officer-in-Charge, Santa Ana City Jail; RUSSELL DAVIS, Jail Administrator, Santa Ana City Jail; JUAN P. OSUNA, Director, Executive Office for Immigration Review,

Respondents - Appellants.

ALEJANDRO RODRIGUEZ, for himself and on behalf of a class of similarly-situated individuals; ABDIRIZAK ADEN FARAH, for himself and on behalf of a class of similarly-situated individuals; JOSE FARIAS CORNEJO; YUSSUF ABDIKADIR; ABEL PEREZ RUELAS,

Petitioners - Appellants,

And

EFREN OROZCO,

Petitioner,

v.

TIMOTHY ROBBINS, Field Office Director, Los Angeles District, Immigration and Customs Enforcement; LORETTA E. LYNCH, Attorney General; WESLEY LEE, Assistant Field Office Director, Immigration and Customs Enforcement; RODNEY PENNER, Captain, Mira Loma Detention Center; SANDRA HUTCHENS, Sheriff of Orange

No. 13-56755

D.C. No. 2:07-cv-03239-TJH-RNB

County; NGUYEN, Officer, Officer-in-Charge, Theo Lacy Facility; DAVIS NIGHSWONGER, Captain, Commander, Theo Lacy Facility; MIKE KREUGER, Captain, Operations Manager, James A. Musick Facility; RUSSELL DAVIS, Jail Administrator, Santa Ana City Jail; ARTHUR EDWARDS, Officer-in-Charge, Santa Ana City Jail; THOMAS G. SNOW, Acting Director, Executive Office for Immigration Review; JEH JOHNSON, Secretary, Homeland Security,

Respondents - Appellees.

Before: WARDLAW and GOULD, Circuit Judges and HADDON,* District Judge.

Counsel for Appellants/Cross-Appellees is ordered to show cause why sanctions should not be imposed for the improper oral argument before this Court on July 24, 2015, based on an L.A. Times news article, published July 21, 2015, three days before oral argument in this case, entitled “Suspect was fighting deportation,” the source for which is identified as “federal authorities” and which directly references and quotes from earlier proceedings in this case. Fed. R. App. P. 46(c); Circuit Rule 46-2(a); ABA Model Rules of Professional Conduct 3.5.

* The Honorable Sam E. Haddon, District Judge for the U.S. District Court for the District of Montana, sitting by designation.

Counsel shall also provide the Court and opposing counsel with copies of the transcripts of the bond hearings for Mr. Keane Dean, including both the preliminary and the *Rodriguez* hearings, as well as any other bond hearings that may have taken place in Mr. Dean's immigration proceedings, to which counsel also improperly referred during the July 24, 2015 oral argument.

Counsel shall have 28 days from the date of this order to respond by letter brief and to provide the transcripts.

IT IS SO ORDERED.