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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION**

**NAK KIM CHHOEUN AND MONY
NETH, individually and on behalf of a
class of similarly situated individuals,**

Petitioners,

v.

**DAVID MARIN, DAVID JENNINGS,
THOMAS HOMAN, ELAINE DUKE,
JEFFERSON SESSIONS III, SANDRA
HUTCHENS, AND SCOTT JONES,**

Respondents.

Case No.: SACV 17-01898-CJC(GJSx)

**ORDER TO SHOW CAUSE
REGARDING CLASS
CERTIFICATION AND
PRELIMINARY INJUNCTION**

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1 On March 26, 2018, the Court issued an Order finding that Petitioner Chhoeun's
2 detention was unlawful and immediately releasing him from custody under the same
3 terms and conditions imposed on him prior to his unlawful detention. (Dkt. 104.) In
4 light of the Court's March 26, 2018, Order, Respondents are hereby **ORDERED TO**
5 **SHOW CAUSE** why the Court should not certify the proposed class: All Cambodian
6 citizens in the United States who received final orders of deportation or removal to
7 Cambodia, who were subsequently released from ICE custody, who then years later were
8 re-detained for removal by ICE, and who now have filed motions to reopen their removal
9 proceedings. Respondents are also **ORDERED TO SHOW CAUSE** why the Court
10 should not release all putative class members pending the resolution of their motions to
11 reopen their removal proceedings.

12
13 Respondents shall file and serve an opposition to this Order **on or before April 2,**
14 **2018.** Petitioners shall file and serve any papers in reply **on or before April 9, 2018.** A
15 hearing on the Order to Show Cause shall proceed in the United States Courthouse
16 located at 411 West Fourth Street, Santa Ana, California, 92701, Courtroom 9B, on
17 **Monday, April 16, 2018, at 1:30 p.m.**

18
19 In light of this Order, the pending motion for a preliminary injunction, (Dkt. 92),
20 motion for class certification, (Dkt. 93), and joint stipulation regarding the briefing
21 schedule for those motions, (Dkt. 96), are **DENIED AS MOOT.**

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24 DATED: March 26, 2018



CORMAC J. CARNEY

UNITED STATES DISTRICT JUDGE