

FOR PUBLICATION

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

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-

No. 13-56706

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

in-Charge, Theo Lacy Facility;
DAVIS NIGHSWONGER, Captain,
Commander, Theo Lacy Facility;
MIKE KREUGER, 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,

No. 13-56755

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

ORDER

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 County; NGUYEN, Officer, Officer-in-Charge, Theo Lacy Facility; DAVIS NIGH SWONGER, 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.

Filed August 13, 2015

Before: Kim McLane Wardlaw and Ronald M. Gould,
Circuit Judges and Sam E. Haddon,* District Judge.

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

SUMMARY**

Immigration

In a class action lawsuit brought by detained non-citizens, the panel ordered counsel for Appellants/Cross-Appellees to show cause why sanctions should not be imposed for improper oral argument based on a news article which directly referenced and quoted from earlier proceedings in the case.

ORDER

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.

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

** This summary constitutes no part of the opinion of the court. It has been prepared by court staff for the convenience of the reader.

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.