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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

SHEW FEI CHIN,

No. 2:15-CV-2397-JAM-CMK-P

Petitioner,

vs.

FINDINGS AND RECOMMENDATIONS

TIMOTHY AIKEN, et al.,

Respondents.

_____ /

Petitioner, who is proceeding pro se, brings this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 challenging his continued custody pending removal. Pending before the court is respondents’ unopposed motion to dismiss (Doc. 15). The court agrees with respondents that the instant petition is now moot because petitioner has been released from detention. See Picrin-Peron v. Rison, 930 F.2d 773 (9th Cir. 1991). Specifically, respondents have provided the court with a Release Notification dated January 28, 2016, whereby petitioner was released from Immigration and Customs Enforcement custody pursuant to an order of supervision.¹

_____ ¹ The court may take judicial notice pursuant to Federal Rule of Evidence 201 of matters of public record. See U.S. v. 14.02 Acres of Land, 530 F.3d 883, 894 (9th Cir. 2008).

1 Based on the foregoing, the undersigned recommends that respondents'
2 unopposed motion to dismiss (Doc. 15) be granted.

3 These findings and recommendations are submitted to the United States District
4 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within 14 days
5 after being served with these findings and recommendations, any party may file written
6 objections with the court. Responses to objections shall be filed within 14 days after service of
7 objections. Failure to file objections within the specified time may waive the right to appeal.
8 See Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

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10 DATED: July 20, 2016

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12 **CRAIG M. KELLISON**
13 UNITED STATES MAGISTRATE JUDGE
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