

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
MIDDLE DIVISION**

OVIESA PRINCE EJAKPOVI ROLAND,	)	
	)	
Petitioner,	)	
	)	
v.	)	CIVIL ACTION NO.
	)	4:12-cv-0086-PWG
ERIC HOLDER, et al.,	)	
	)	
Respondents.	)	

**MEMORANDUM OPINION**

This matter comes before the court on the petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2241 (doc. 1). The petitioner claims that he is being illegally detained by the respondents pending his removal from the country and that he is due to be released from custody. The respondents have filed a motion to dismiss this matter as moot (doc. 12). Upon consideration, the court finds that the respondents' motion to dismiss is due to be GRANTED.

In support of their motion to dismiss, the respondents have filed a copy of an unsworn declaration, made pursuant to 28 U.S.C. § 1746, by the Supervisory Detention and Deportation Officer of the U.S. Immigration and Customs Enforcement facility in Gadsden, Alabama (doc.12 Exh. A). In that declaration, respondents assert that as of April 11, 2012, the petitioner is no longer in the United States and no longer in custody. Therefore, the petitioner's habeas claim for release under an order of supervision or for repatriation is moot. *See Nyaga v. Ashcroft*, 323 F.3d 906, 913 (11<sup>th</sup> Cir. 2003) ("a case must be dismissed as moot if the court can no longer provide 'meaningful relief'").

Based on the foregoing, the court FINDS that the respondents' motion to dismiss this action as moot (doc. 12) is due to be GRANTED. The court will enter a separate final order.

DONE and ORDERED this 8th day of June, 2012.

Handwritten signature of Karon O. Bowdre in cursive script, written in black ink.

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KARON OWEN BOWDRE  
UNITED STATES DISTRICT JUDGE