O Sullivan v. Holder et al

Doc. 11

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U.S. DISTRICT COURT
N.D. OF ALABAMA

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

KERN O'SULLIVAN,	)	
	)	
Petitioner,	)	
	)	
v.	)	**Case No.: 4:12-cv-0253-RDP-PWG**
	)	
ERIC H. HOLDER, Attorney General of the United States, et al.,	)	
	)	
Respondents.	)	

MEMORANDUM OPINION

This is a habeas corpus case filed pursuant to 28 U.S.C. § 2241 by Kern O'Sullivan, *pro se*. Petitioner contends that he is being illegally detained by Respondents and that he is due to be released from custody pending his removal to Jamaica under the Immigration and Nationality Act. (Doc. 1). Respondents have filed a motion to dismiss this matter as being moot. (Doc. 10).

In support of their motion to dismiss, Respondents have filed evidentiary materials showing that Petitioner was released from custody under an order of supervision on May 16, 2012. (Doc. 10-1). Thus, Petitioner's claim for release under an order of supervision or for repatriation is moot. *See Nyaga v. Ashcroft*, 323 F.3d 906, 913 (11th Cir. 2003) ("a case must be dismissed as moot if the court can no longer provide 'meaningful relief'"). Accordingly, this matter is due to be dismissed as moot. A separate final order will be entered.

DONE and **ORDERED** this 24th day of May, 2012.

R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE

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