

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

<b>ALI SINA KARIMI,</b>	)	
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 4:12-CV-00669-RDP-RRA</b>
	)	
<b>ERIC H. HOLDER,</b>	)	
	)	
<b>Respondent.</b>	)	

**MEMORANDUM OF OPINION**

The Magistrate Judge filed a Report and Recommendation on April 18, 2012, recommending that Petitioner's petition for writ of habeas corpus under 28 U.S.C. § 2241 (Doc. # 1) be dismissed. Petitioner filed objections to the Report and Recommendation on May 1, 2012.

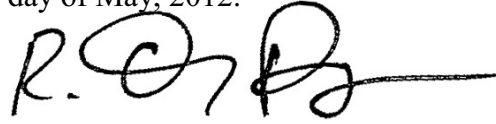
Having carefully and independently reviewed and considered *de novo* all the materials in the court file, including the Report and Recommendation and the objections thereto, the court is of the opinion that the Magistrate Judge's Report is due to be and is hereby **ADOPTED** and the Recommendation is **ACCEPTED**. At the time Petitioner filed his § 2241 petition, the six-month presumptively reasonable removal period under *Zadvydas v. Davis* had not yet expired, so Petitioner cannot state a claim under *Zadvydas*. See *Akinwale v. Ashcroft*, 287 F. 3d 1050, 1052 (11th Cir. 2002); *Zadvydas v. Davis*, 533 U.S. 678, 701 (2001).<sup>1</sup> Accordingly, Petitioner's petition for writ of habeas corpus is due to be dismissed without prejudice. An appropriate order will be entered.

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<sup>1</sup> As of May 2, 2012, however, that six-month period has expired. The court expresses no opinion as to whether the continued detention of Petitioner beyond May 2, 2012 is reasonable and that issue is not presented in the instant Petition.

The Clerk is **DIRECTED** to mail a copy of this Memorandum of Opinion to Petitioner.

**DONE** and **ORDERED** this 14th day of May, 2012.

A handwritten signature in black ink, appearing to read "R. David Proctor", written over a horizontal line.

**R. DAVID PROCTOR**  
UNITED STATES DISTRICT JUDGE