

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

JAVIN EORSKINE ALSON)
DURRANT,)
)
Petitioner,)
)
v.)
)
ERIC HOLDER, et al.,)
Respondents.)

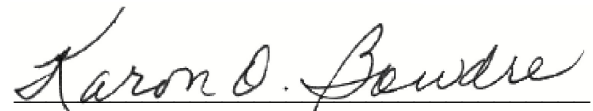
Case No.: 4:12-cv-02637-KOB-JEO

MEMORANDUM OPINION

Javin Eorskine Alson Durrant, the Petitioner, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241, asserting that he was being illegally detained by Respondents and that he should be released from custody. (Doc. 1). The Respondents have filed a motion to dismiss this matter as moot. (Doc. 9). Upon consideration of the motion, the court finds that the petition is due to be dismissed.

In support of their motion to dismiss, the Respondents have filed a copy of a declaration made by Adam Austin, the Supervisory Detention and Deportation Officer, stating that the Petitioner was released from custody on February 12, 2013, on an order of supervision. (Doc. 9 at 5-6). Because the Petitioner is no longer in custody, his habeas petition 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, the court finds that the Respondents' Motion to Dismiss as Moot (doc. 9) is due to be granted and that the petition (doc. 1) is due to be dismissed without prejudice. The court will enter a separate Order.

DONE and ORDERED this 20th day of February, 2013.


KARON OWEN BOWDRE
UNITED STATES DISTRICT JUDGE