

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

ANGEL ATILIO GARCIA-MAYER,)

Petitioner,)

v.)

ERIC HOLDER, et al.,)

Respondents.)

Case No.: 4:13-cv-0044-JFG-PWG

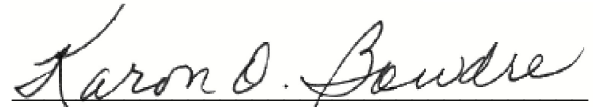
MEMORANDUM OPINION

This case is before the court on the Respondents' Motion to Dismiss as Moot, filed June 27, 2013. (Doc. 3). In their motion, the Respondents note that the Petitioner was released from ICE custody on June 26, 2013, pursuant to an Order of Supervision. (Doc. 3-1). The Respondents argue that, because the Petitioner has been released on an Order of Supervision, this case is due to be dismissed as moot. The magistrate judge's Order instructing the Petitioner to respond to the Motion to Dismiss was returned as undeliverable. (Docs. 4 & 5).

On January 8, 2013, the Petitioner filed a petition for writ of habeas corpus seeking to be released from custody pending his removal to Belize. (Doc. 1). Because the Petitioner has been released on an Order of Supervision, his petition seeking that very relief 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'"); *see also Spencer v. Kemna*, 523 U.S. 1, 8 (1998) (once a habeas petitioner is released from custody, he must demonstrate collateral consequences to avoid mootness doctrine). Accordingly, the Respondents' motion is due to be granted and this matter is due to be dismissed. *Khader v. Holder*, 843 F. Supp. 2d 1202 (N.D. Ala. 2011).

The court will enter a separate Order in conformity with this Memorandum Opinion.

DONE and ORDERED this 26th day of November, 2013.

Handwritten signature of Karon O. Bowdre in cursive script.

KARON OWEN BOWDRE

CHIEF UNITED STATES DISTRICT JUDGE