

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

BIRTRAM JUHA JAMIE MOODIE,)	
)	
Petitioner,)	
)	
v.)	Case No.: 4:13-cv-989-SLB-PWG
)	
ERIC HOLDER, JR., et al.,)	
)	
Respondents.)	
)	

MEMORANDUM OPINION

This case is before the court on Respondents’ Motion to Dismiss as Moot (Doc. # 3), filed July 17, 2013. In their motion, Respondents note that Petitioner was released from ICE custody on July 11, 2013, pursuant to an Order of Supervision. (Doc. # 3-1). Respondents argue that, because Petitioner has been released on an Order of Supervision, this case is due to be dismissed as moot. On July 18, 2013, the previously assigned Magistrate Judge ordered Petitioner to respond to Respondents’ motion within 20 days; the order was returned as undeliverable and Petitioner has not otherwise responded.

On May 24, 2013, Petitioner filed a petition for writ of habeas corpus seeking to be released from custody pending his removal to the Cayman Islands. (Doc. # 1). Because 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, 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).

A separate order will be entered.

DONE, this 4th day of November, 2013.



SHARON LOVELACE BLACKBURN
CHIEF UNITED STATES DISTRICT JUDGE