

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

OUMAR KONATE,)	
)	
Petitioner,)	
)	
v.)	Case No.: 4:13-cv-1823-LSC-PWG
)	
ERIC HOLDER, et al.,)	
)	
Respondents.)	
)	

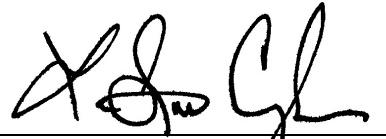
MEMORANDUM OPINION

This case is before the court on Respondents’ Motion to Dismiss as Moot (Doc. # 3), filed November 15, 2013. In their motion, Respondents note that Petitioner was released from ICE custody on November 14, 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 October 1, 2013, Petitioner filed a petition for writ of habeas corpus seeking to be released from custody pending his removal to the Republic of Congo. (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 19th day of November 2013.

A handwritten signature in black ink, appearing to read 'L. Scott Coogler', written over a horizontal line.

L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE
[160704]