

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

KWAN KAM LING,)	
)	
Petitioner,)	
)	
v.)	Case No.: 4:14-cv-00353-KOB-JEO
)	
ERIC HOLDER, Attorney General,)	
United States, et al.,)	
)	
Respondents.)	

MEMORANDUM OPINION

This case is before the court on Respondents’ Motion to Dismiss as Moot (doc. 7), filed June 24, 2014. In their motion, Respondents note that Petitioner was released from ICE custody pursuant to an Order of Supervision on May 21, 2014. (Doc. 7-1). Respondents argue that because Petitioner has been released on an Order of Supervision, this case is due to be dismissed as moot.

On February 28, 2014, Petitioner filed a petition for writ of habeas corpus seeking to be released from custody pending his removal to China. (Doc. 1). Because he 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, 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.

DONE and ORDERED this 3rd day of July, 2014.

Handwritten signature of Karon O. Bowdre in cursive script, written in black ink.

KARON OWEN BOWDRE

CHIEF UNITED STATES DISTRICT JUDGE