

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

BARRINGTON ANTHONY HYLTON,)

Petitioner,)

vs.)

Case No: 4:15-cv-0241-CLS-JEO

**JEH JOHNSON, Secretary, Department)
of Homeland Security, et al.,)**

Respondent.)

MEMORANDUM OPINION

This action is before the court on the petition for a writ of *habeas corpus* filed by Barrington Anthony Hylton, pursuant to 28 U.S.C. § 2241. He claims in his petition that he is being held in custody illegally by immigration officials at the Etowah County Detention Center (“ECDC”) in Gadsden, Alabama, pending his removal from the United States.¹ The Government filed a response in opposition to the petition.² On January 29, 2016, the court issued an order stating that it intended to rule on the petition summarily, inviting Hylton to file any further materials in support of his petition he might desire.³ That same day, the clerk mailed a copy of

¹ Doc. no. 1.

² Doc. no. 12.

³ Doc. no. 13.

that order to Hylton at his address on file at the ECDC. On February 8, 2016, that mail was returned to the court, with a handwritten note on the face of the envelope indicating that Hylton had been released on December 16, 2015.⁴ This prompted the court to perform an immigration detainee search on the website administered by United States Immigration and Customs Enforcement, which revealed that Hylton is “Not in Custody.” A copy of the printout from that search is attached hereto as an exhibit. Because Hylton has been released from custody, his habeas corpus petition seeking his release or repatriation is moot. *See Nyaga v. Ashcroft*, 323 F.3d 906, 913 (11th Cir. 2003). Accordingly, this matter is due to be dismissed as moot. A separate final order will be entered.

DONE this 9th day of February, 2016.



United States District Judge

⁴ Doc. no. 14.