

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

| | | |
|------------------------------|---|----------------------|
| CARLOS HUGO FIGUEROA-MACEDO, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | CIVIL ACTION NO. |
| |) | 4:15-cv-2228-WMA-JEO |
| UNITED STATES DEPARTMENT OF |) | |
| HOMELAND SECURITY and UNITED |) | |
| STATES CUSTOMS ENFORCEMENT, |) | |
| |) | |
| Respondents. |) | |

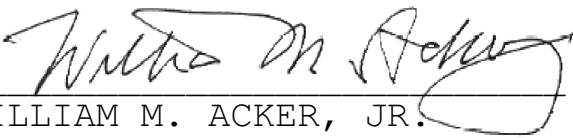
MEMORANDUM OPINION

This habeas corpus action was filed on December 7, 2015, by Carlos Hugo Figueroa-Macedo, an immigration detainee acting *pro se*. The cause comes to be heard on the Respondents' motion to dismiss the case as moot. (Doc. 6). The court concludes that the motion is due to be granted.

In support of their motion, the Respondents have filed a copy of an unsworn declaration made pursuant to 28 U.S.C. § 1746 by a Supervisory Detention and Deportation Officer of the U.S. Immigration and Customs Enforcement facility at Gadsden, Alabama. (Doc. 6-1). In that declaration it is shown that Petitioner was removed

from the United States on January 21, 2016. (*Id.*). Thus, the petitioner's claim for release under an order of supervision or for 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 the 29th day of January, 2016.


WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE