

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

BRYANT K. AGYEMANG,)
)
Petitioner,)
)
vs.)
)
SCOTT HASSEL, Sheriff of)
Etowah County Detention;)
)
Respondent.)

Case No. 4:17-cv-444-MHH-TMP

MEMORANDUM OPINION

On July 7, 2017, the magistrate judge entered a report in which he recommended that the Court dismiss as moot petitioner Bryant K. Agyemang’s 28 U.S.C. § 2241 petition for *habeas corpus* relief because Mr. Agyemang was removed from the United States on June 13, 2017. (Doc. 9-1; Doc. 12, p. 2). The Clerk of Court mailed a copy of the report and recommendation to Mr. Agyemang at his address on record. (July 7, 2017 staff note). On July 14, 2017, the Postal Service returned the copy of the report and recommendation with the following notation: “Return to Sender.” (Doc. 13). Mr. Agyemang has not filed objections to the report and recommendation.

A district court “may accept, reject, or modify, in whole or part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). A district

court reviews legal conclusions in a report de novo and reviews for plain error factual findings to which no objection is made. *Garvey v. Vaughn*, 993 F.2d 776, 779 n.9 (11th Cir. 1993); *see also LoConte v. Dugger*, 847 F.2d 745, 749 (11th Cir. 1988); *Macort v. Prem, Inc.*, 208 Fed. Appx. 781, 784 (11th Cir. 2006).¹

Having carefully considered all the materials in the court file, including the report and recommendation, the Court finds no misstatements of law in the report and no plain error in the magistrate judge’s description of the relevant facts. Therefore, the Court adopts the magistrate judge’s report and accepts his recommendation.

The Court will enter a separate final order dismissing as moot Mr. Agyemang’s 28 U.S.C. § 2241 petition for writ of habeas corpus.

DONE the 24th day of July, 2017.



MADELINE HUGHES HAIKALA
U.S. DISTRICT JUDGE

¹ When a party objects to a report in which a magistrate judge recommends dismissal of the action, a district court must “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. §§ 636(b)(1)(B)-(C).