

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

DARYUSH OMAR,)	
)	
Petitioner,)	
)	
v.)	Case No.: 4:17-cv-01539-MHH-SGC
)	
SCOTT HASSELL, Warden, et al.,)	
)	
Respondents.)	

MEMORANDUM OPINION

On September 11, 2017, petitioner Daryush Omar filed a petition for writ of habeas corpus seeking to be released from custody pending his removal to Afghanistan. (Doc. 1). On November 8, 2017, the respondents filed a motion to dismiss this action as moot. (Doc. 6). In the motion, the respondents state that Mr. Omar was released from ICE custody on November 1, 2017, pursuant to an order of supervision. (Doc. 6, p. 1; Doc. 6-1, p. 1).

Because Mr. Omar 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, 7-8 (1998) (when a habeas petitioner is released from custody, he must demonstrate collateral consequences to avoid mootness doctrine). Accordingly, the Court will dismiss

this matter as moot. *Khader v. Holder*, 843 F. Supp. 2d 1202, 1202 (N.D. Ala. 2011).

The Court will enter a separate final order.

DONE and **ORDERED** this November 14, 2017.

A handwritten signature in black ink, reading "Madeline H. Haikala". The signature is written in a cursive style with a horizontal line underneath it.

MADLINE HUGHES HAIKALA
UNITED STATES DISTRICT JUDGE