

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

BARA NDIAYE OMAHMOUD,)	
)	
Petitioner,)	
)	
v.)	Case No.: 4:17-cv-01579-AKK-JHE
)	
JEFF SESSIONS, et al.,)	
)	
Respondents.)	

MEMORANDUM OPINION

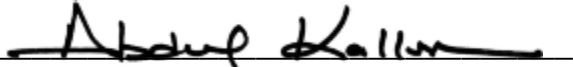
On September 14, 2017, Petitioner Bara Ndiaye Omahmoud filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Doc. 1. At the time he filed his petition, Omahmoud, a native of Mauritania, was incarcerated at the Etowah County Detention Center, in the custody of the Bureau of Immigration and Customs Enforcement (“ICE”). In his petition, Omahmoud alleged that he was being illegally detained by ICE pending his deportation to Mauritania. In light of Omahmoud’s removal from the United States on May 17, 2018, Respondents have filed a motion to dismiss the action as moot. Docs. 8 & 8-1. For the reasons stated below, Respondents’ motion will be granted and the action be dismissed as moot.

Article III of the Constitution limits the jurisdiction of federal courts to the consideration of “cases or controversies.” U.S. CONST. art. III, § 2. The doctrine of mootness is derived from this limitation because “an action that is moot cannot be characterized as an active case or controversy.” *Adler v. Duval Cty. Sch. Bd.*, 112 F.3d 1475, 1477 (11th Cir. 1997). A case is moot and must be dismissed if the court can no longer provide “meaningful relief.” *Nyaga v. Ashcroft*, 323 F.3d 906, 913 (11th Cir. 2003) (citations omitted).

This is precisely the case here where the relief sought by Omahmoud in his petition is release from ICE custody. Because Omahmoud is no longer in ICE custody, his petition has been rendered moot, where, as here, neither the collateral consequences, *Carafas v. LaVallee*, 391 U.S. 234, 237 (1968), nor the “capable of repetition yet evading review,” *Murphy v. Hunt*, 455 U.S. 478, 482 (1982), exceptions apply. Therefore, because there is no longer any relief the court can grant Omahmoud, his petition is moot.

Based on the foregoing, the Respondents’ motion to dismiss, doc. 8, is **GRANTED**. A separate order will be entered.

DONE the 26th day of July, 2018.



ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE