

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

KHASSIM DIALLO,)	
)	
Petitioner,)	
)	
v.)	Case No.: 4:17-cv-01594-KOB-HNJ
)	
SHERIFF TODD ENTREKIN, ¹)	
)	
Respondent.)	

MEMORANDUM OPINION

This is a habeas corpus action under 28 U.S.C. § 2241, filed by Petitioner Khassim Diallo, *pro se*. Petitioner challenges the legality of his continued detention by federal immigration authorities pending his removal from the United States under the Immigration and Nationality Act. (*See* Doc.1). Respondent has moved to dismiss the action as moot, on the ground that Petitioner has been removed from the United States. (Doc. 14).

Respondent supports the motion with the declaration of Supervisory Detention and Deportation Officer Bryan Pittman, who attests that the U.S. Immigration and Customs Enforcement (“ICE”) removed Petitioner from the United States on February 28, 2018. (Doc. 9-1 at 1). Pittman attaches an EADM document from the official ICE database as proof thereof. (*Id.* at 2). As a result, Petitioner’s habeas corpus claim for release under an order of supervision or for repatriation is moot because the court can no longer provide meaningful relief. *See Nyaga v. Ashcroft*, 323 F.3d 906, 913 (11th Cir. 2003). Respondent’s motion is due to be granted and this action is due to be dismissed.

¹ Although Petitioner names Jefferson B. Sessions, III., John F. Kelly, and George H. Wind, III., as Respondents, the immediate custodian at the time the petition is filed is the proper defendant in a *habeas corpus* action filed pursuant to 28 U.S.C. 2242. The Clerk is DIRECTED to change the style of the case to reflect that Entrekin is the sole respondent.

The court will enter a separate Final Order.

DONE and ORDERED this 13th day of June, 2018.

Handwritten signature of Karon O. Bowdre in cursive script.

KARON OWEN BOWDRE
CHIEF UNITED STATES DISTRICT JUDGE