

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

NICOLAS TANUI,)	
)	
Petitioner,)	
)	
v.)	Case No.: 4:17-cv-01770-LSC-JEO
)	
JEFFERSON B. SESSIONS, et al.,)	
)	
Respondents.)	

MEMORANDUM OPINION

This case is before the court on Respondents’ Motion to Dismiss as Moot, filed July 6, 2018. (Doc. 18). In the motion, Respondents note Petitioner was released from ICE custody on June 19, 2018,¹ pursuant to an Order of Supervision. (Doc. 18-1). Because Petitioner has been released, Respondents contend this case is due to be dismissed as moot.

On October 18, 2017, Petitioner filed a petition for writ of habeas corpus seeking to be released from custody pending his removal to Kenya. (Doc. 1). Because Petitioner 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) (once a habeas petitioner is released from custody, he must demonstrate collateral consequences to avoid mootness doctrine). Accordingly, this matter is due to be dismissed. *Khader v. Holder*, 843 F. Supp. 2d 1202, 1202 (N.D. Ala. 2011).

A separate order will be entered.

¹The EARM Custody Database printout supplied by Respondents identified Petitioner’s release –removal date as March 29, 2018. (Doc. 18-1 at 2).

DONE AND ORDERED ON JULY 17, 2018.

A handwritten signature in black ink, appearing to read "L. Scott Coogler", written over a horizontal line.

L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE

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