

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

YAYA KABBA,	}	
	}	
Petitioner,	}	
	}	
v.	}	Case No.: 4:18-cv-1337-MHH-JEO
	}	
KIRSTJEN NIELSEN, et al.,	}	
	}	
Respondents.	}	

MEMORANDUM OPINION

This action is before the Court on the respondents’ motion to dismiss. (Doc. 7). On August 20, 2018, Mr. Kabba filed a petition for writ of habeas corpus seeking his release from custody pending his removal to Gambia. (Doc. 1). In their motion, the respondents contend that the Court should dismiss Mr. Kabba’s § 2241 habeas petition because United States Immigration and Customs Enforcement released Mr. Kabba from custody on October 5, 2018, and removed him from the United States. (Doc. 7-1, Pitman Decl.).

Because ICE has released Mr. Kabba from custody, 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, 8 (1998) (once a habeas petitioner is released from custody, he must demonstrate collateral

consequences to avoid mootness doctrine). Accordingly, by separate order, the Court will dismiss this matter. *Khader v. Holder*, 843 F. Supp. 2d 1202 (N.D. Ala. 2011).

DONE and **ORDERED** this 2nd day of November, 2018.

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

MADELINE HUGHES HAIKALA
UNITED STATES DISTRICT JUDGE