

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

ADEMOLA ISMAILA ADEGOKE,)	
)	
Petitioner,)	
)	
v.)	Case No. 4:19-cv-01744-KOB-SGC
)	
JONATHAN HORTON, et al.,)	
)	
Respondents.)	

MEMORANDUM OPINION

Petitioner Ademola Ismaila Adegoke, a native and citizen of Nigeria, filed this 28 U.S.C. § 2241 petition for writ of habeas corpus to challenge the legality of his continued detention by federal immigration authorities pending his removal from the United States under the Immigration and Nationality Act. (Doc. 1). On September 1, 2020, Respondents filed a motion to dismiss the action as moot. (Doc. 13). Petitioner, through his counsel of record, does not oppose the motion to dismiss, as he is no longer in the custody of federal authorities. (Doc. 14).


Respondents support their motion with the declaration of Bryan S. Pitman, a Supervisory Detention and Deportation Officer with U.S. Immigration and Customs Enforcement (“ICE”). (Docs. 13-1). Pitman’s review of Petitioner’s detention history on the ICE database shows Petitioner was removed to Nigeria on August 18,

2020. (*Id.*). A certified copy of Petitioner’s detention history on the database corroborates Pitman’s testimony. (*Id.* at 2-3).

Petitioner’s removal to Nigeria renders his petition seeking relief in the form of release from ICE custody 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).

The court will enter a separate Final Order.

DONE and ORDERED this 25th day of September, 2020.



KARON OWEN BOWDRE
UNITED STATES DISTRICT JUDGE