

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

ANTONY M. DEVADAS,)	
)	
Petitioner,)	
)	
v.)	Case No. 4:19-cv-02004-AKK-HNJ
)	
WILLIAM BARR, et al.,)	
)	
Respondents.)	

MEMORANDUM OPINION

On July 30, 2020, the magistrate judge entered a report recommending the court dismiss this 28 U.S.C. § 2241 petition without prejudice and advising Petitioner of his right to file specific written objections within fourteen (14) days. (Doc. 18). On August 11, 2020, Devadas filed objections to the report and recommendation. (Doc. 19). On October 2, 2020, Respondents filed a motion to dismiss the action as moot. (Doc. 20).

Respondents support the motion with the declaration of Michael A. Martin, a Supervisory Detention and Deportation Officer with Immigration and Customs Enforcement (“ICE”). (Doc. 20-1). Martin’s review of Petitioner’s detention history on the ICE database shows his release from ICE custody and removal to Sri Lanka on September 17, 2020. (Id. at 2). A certified copy of Petitioner’s detention history on the database corroborates Martin’s testimony. (Id. at 3).

Petitioner's removal to Sri Lanka 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).

Having carefully reviewed and considered de novo all the material in the court file, including the report and recommendation, and the objections thereto, the court **ADOPTS** the report of the magistrate judge and **ACCEPTS** his recommendation as **MODIFIED**. This court finds that this habeas petition is due to be **DISMISSED** as **MOOT**.

The court will enter an appropriate order.

DONE the 2nd day of October, 2020.



ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE