

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

ABRAHAM AYELE SIUM,)	
)	
Petitioner,)	
)	
v.)	Case No. 4:21-cv-00503-LSC-NAD
)	
JONATHON HORTON, et al.,)	
)	
Respondents.)	

MEMORANDUM OPINION

On April 9, 2021, Petitioner Abraham Ayele Sium filed through counsel a habeas petition pursuant to 28 U.S.C. § 2241, challenging his continued detention pending removal pursuant to the Immigration and Nationality Act. Doc. 1. At the time he filed his petition, Petitioner Sium, a native of Eritrea, was detained at the Etowah County Detention Center, in the custody of the Bureau of Immigration and Customs Enforcement (ICE). Doc. 1 at 3.

On May 23, 2022, Petitioner Sium and “Federal Respondents” (i.e., Merrick Garland, Alejandro Mayorkas, Tae D. Johnson, and Diane Witte) filed a joint status report and motion to dismiss the petition as moot. Doc. 31. Included with the joint status report and motion to dismiss was a declaration from Bryan S. Pitman, Supervisory Detention and Deportation Officer, stating that Sium was released from custody and removed from the United States on May 22, 2022. Doc. 31-1 at 1.

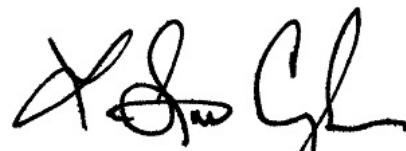
Because Sium has been removed, his petition is moot. *See Nyaga v. Ashcroft*, 323 F.3d 906, 913 (11th Cir. 2003) (“a case must be dismissed as moot if the court can no longer provide ‘meaningful relief’”); *Soliman v. United States*, 296 F.3d 1237, 1242–43 (11th Cir. 2002) (once a habeas petitioner is no longer detained, “no order . . . requiring [his] release into the community awaiting his final removal order could have any effect”).

In his petition, Sium sought release from ICE custody. According to the parties’ joint status report and motion to dismiss (and as established through the declaration of Bryan S. Pitman), Sium is no longer in ICE custody. Doc. 31-1.

Because the court no longer can grant the requested relief to Sium, the parties’ joint motion to dismiss is **GRANTED**, and Petitioner Sium’s petition is **DISMISSED** as **MOOT**.

A separate order will be entered.

DONE and **ORDERED** on June 13, 2022.



L. Scott Coddler
United States District Judge

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