

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

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|---------------------------|---|----------------------|
| VERNA RUBY PILON, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | CIVIL ACTION NO. |
| |) | 7:16-cv-0665-KOB-JEO |
| |) | |
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Respondent. |) | |

MEMORANDUM OPINION

On April 22, 2016, Petitioner Verna Ruby Pilon, a federal prisoner acting *pro se*, filed this action seeking a writ of habeas corpus under 28 U.S.C. § 2241. (Doc. 1). Pilon demanded her immediate release arguing that the federal district court in Illinois that imposed her sentence lacked jurisdiction. (*Id.*)

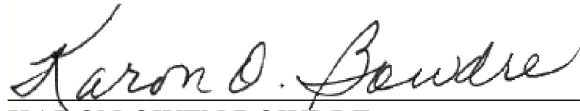
On May 9, 2016, the magistrate judge entered a report and recommendation, recommending that the court dismiss the action for lack of jurisdiction under 28 U.S.C. § 2255(e). (Doc. 3). That same day, the court mailed a copy of the report to Pilon at the Federal Correctional Institution in Aliceville, Alabama, the address on file with the court. On May 16, 2016, however, the postal service returned the mailing to the court, with a notation indicating that Pilon is no longer at the Aliceville facility. (Doc. 5). An online search using the Federal Bureau of Prisons inmate locator further revealed that Pilon was, in fact, released from the Aliceville facility on April 29, 2016.

Because Pilon failed to give the court an updated address, she never received a copy of

the report. As such, she has filed no objections to the report, and her time to do so has now lapsed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the magistrate judge's report and recommendation, the court ADOPTS the magistrate judge's report and ACCEPTS his recommendation to dismiss this action for lack of jurisdiction. Regardless of any potential mootness issues occasioned by Pilon's release, the court lacks jurisdiction under § 2255(e) for the reasons stated in the R&R. Accordingly, the court finds that the petition for a writ of habeas corpus is due to be **DISMISSED WITHOUT PREJUDICE** for want of jurisdiction. The court will enter a separate Final Order.

DONE and ORDERED this 3rd day of June, 2016.


KARON OWEN BOWDRE
CHIEF UNITED STATES DISTRICT JUDGE