

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

|                             |   |                                     |
|-----------------------------|---|-------------------------------------|
| <b>KAMARA HAGIE,</b>        | ) |                                     |
|                             | ) |                                     |
| <b>Petitioner,</b>          | ) |                                     |
|                             | ) |                                     |
| <b>v.</b>                   | ) | <b>CIVIL ACTION NO. 09-197-KD-N</b> |
|                             | ) |                                     |
| <b>ERIC HOLDER, et al.,</b> | ) |                                     |
|                             | ) |                                     |
| <b>Respondent.</b>          | ) |                                     |

**ORDER**

After due and proper consideration of all pleadings in this file, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge dated July 23, 2009 and made under 28 U.S.C. § 636 is **ADOPTED** as the opinion of this Court.

It is **ORDERED** that the petitioner’s habeas petition (Doc. 1) and Motion for Immediate Release (Doc. 11) (which contains a motion for leave to supplement) are **DENIED** and that this action is **DISMISSED** without prejudice.<sup>1</sup>

**DONE and ORDERED** this the **12<sup>th</sup>** day of **August 2009**.

/s/ Kristi K. DuBose  


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**KRISTI K. DuBOSE**  
**UNITED STATES DISTRICT JUDGE**

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<sup>1</sup> In so doing, the Court notes that Plaintiff did not complete the necessary travel documentation until March 4, 2009 such that his own inaction impeded the removal process. 8 U.S.C. § 1231(a)(1)(A) and (C) (providing that the government has a 90-day period to remove an alien but that the removal period “shall be extended beyond a period of 90 days and the alien may remain in detention during such extended period if the alien fails or refuses to make timely application in good faith for travel or other documents necessary to the alien’s departure or conspires or acts to prevent the alien’s removal subject to an order of removal.” See, e.g., Kabba v. Holder, Slip Copy, 2009 WL 1033261, \*1-2 (S.D. Ala. Apr. 8, 2009) (discussing Zadvydus v. Davis, 533 U.S. 678, 687-88 (2001) and Akinwale v. Ashcroft, 287 F.3d 1050, 1051-1052 (11<sup>th</sup> Cir. 2002)).