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**NOT FOR PUBLICATION**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Salah Abugharbieh,

Petitioner,

vs.

Michael B. Mukasey, et al.

Respondents.

) No. CV08-0577-PHX-SRB

) **ORDER**

Petitioner filed his Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 on March 25, 2008, challenging his continued detention pending removal. On June 19, 2008, Respondents filed their response to Petitioner’s Petition for Writ of Habeas Corpus. No reply was filed. On October 10, 2008 Respondents filed a Second Supplemental Response in Opposition to Petition for Habeas Corpus and Suggestion of Mootness advising the Court that Petitioner had been removed to Israel on October 9, 2008. On November 21, 2008, the Magistrate Judge issued his Report and Recommendation recommending that the petition be dismissed with prejudice as moot.

In his Report and Recommendation the Magistrate Judge advised the parties that they had 10 days from the date of service of a copy of the Report and Recommendation within which to file specific written objections with the Court. On December 1, 2008, Petitioner’s copy of the Report and Recommendation was returned by the Post-Office with the notation

1 "Return to Sender, Unclaimed, Unable to Forward." On December 5, 2008, Respondents  
2 filed a Notice of No Objection advising the Court that the Government would not be  
3 objecting to the Report and Recommendation. The time to file objections has expired and  
4 no objections to the Report and Recommendation have been filed by Petitioner.

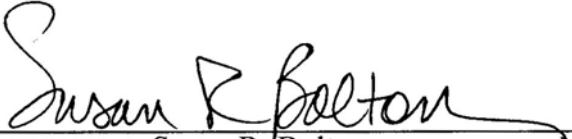
5 The Court finds itself in agreement with the Report and Recommendation of the  
6 Magistrate Judge.

7 IT IS ORDERED adopting the Report and Recommendation of the Magistrate Judge  
8 as the order of this Court.

9 IT IS FURTHER ORDERED that the Petition for Writ of Habeas Corpus is dismissed  
10 with prejudice as moot.

11 IT IS FURTHER ORDERED directing the Clerk to enter judgment accordingly.

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13 DATED this 16<sup>th</sup> day of December, 2008.

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17 Susan R. Bolton  
18 United States District Judge  
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