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**NOT FOR PUBLICATION**  
IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Harbinder Singh,

Petitioner,

vs.

Katrina S. Kane, et al.,

Respondents.

) No. CIV-08-01370-PHX-FJM

) **ORDER**

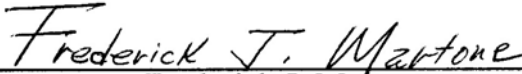
\_\_\_\_\_ )  
The court has before it petitioner’s Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (doc. 1), respondents’ response and notice of status report (docs. 9 & 12), the Report and Recommendation of the United States Magistrate Judge (doc. 13), and petitioner’s objection (doc. 14). Following our *de novo* review, we “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” See 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b).

Petitioner challenged his detention pending his removal to India and sought release from custody. However, he advises us that on November 18, 2008, he was released from custody and removed to India. The Report and Recommendation recommends a denial and dismissal with prejudice. Petitioner, having been removed after the Report and Recommendation, objects and suggests a dismissal on grounds of mootness.

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**IT IS ORDERED DENYING** the Petition for Writ of Habeas Corpus as moot (doc. 1).

DATED this 19<sup>th</sup> day of December, 2008.

  
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Frederick J. Martone  
United States District Judge