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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Vu Nguyen,
Petitioner,
vs.
Katrina Kane,
Respondent.

No. CV 08-1664-PHX-GMS (MEA)

ORDER TO SHOW CAUSE

On September 9, 2008, Vu Nguyen filed a *pro se* Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 seeking his immediate release from custody on the grounds that his indefinite detention with no prospect that his removal would be effected in the reasonably foreseeable future was not authorized by law. See Zadvydas v. Davis, 533 U.S. 678 (2001) (when there is no reasonable likelihood that a foreign government will accept an alien’s return in the reasonably foreseeable future, the INS may not detain the alien for more than the presumptively reasonable period of six months).

On September 18, 2008, mail sent to Petitioner by the Clerk of Court was returned as undeliverable (Doc. #3). On October 9, 2008, the action was dismissed as moot (Doc. #4). On November 21, 2008, the Court granted Petitioner’s motion for reconsideration and the matter was reinstated (Doc. #8). On December 1, 2008, the copy of the Order reinstating this action sent to Petitioner by the Clerk of Court was returned as undeliverable (Doc. #9). The Court has since learned that Petitioner may have been released on an order of supervision on January 5, 2009.

1 A habeas corpus “petitioner’s release from detention under an order of supervision
2 ‘moots his challenge to the legality of his extended detention.’” Abdala v. INS, 488 F.3d
3 1061, 1064 (9th Cir. 2007) (quoting Riley v. INS, 310 F.3d 1253, 1256-57 (10th Cir. 2002).
4 Accordingly, Petitioner will be required to show good cause why this action should not be
5 dismissed as moot.

6 **IT IS ORDERED** that within 10 days from the date this Order is filed Petitioner must
7 file a response to this Order showing good cause why this action should not be dismissed as
8 moot.

9 **IT IS FURTHER ORDERED** that the Clerk of Court must enter a judgment of
10 dismissal of this action as moot without further order of the Court if a response to this Order
11 is not filed within 10 days from the date this Order is filed.

12 DATED this 14th day of January, 2009.

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14 _____
15 G. Murray Snow
16 United States District Judge
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