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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Rey Melchor Chavira-Lopez,)	
)	
Petitioner,)	No. CV-09-2375-PHX-PGR (JRI)
)	
vs.)	
)	
Eric H. Holder, et al.,)	<u>ORDER</u>
)	
Respondents.)	
)	

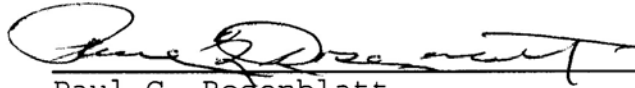
The relief sought by the petitioner in his Petition for Writ of Habeas Corpus, filed pursuant to 28 U.S.C. § 2241, is his release from detention by the Department of Homeland Security. Having considered the respondents' Motion to Dismiss, filed December 11, 2009, wherein the respondents argue that this action should be dismissed for lack of subject matter jurisdiction due to mootness, the Court finds that the motion should be granted because the record establishes the petitioner was released from immigration detention without conditions on November 27, 2009. Therefore,

IT IS ORDERED that Petitioner's Motion for Preliminary Injunction (doc. #3) is denied.

IT IS FURTHER ORDERED that the respondents' Motion to Dismiss (doc.

1 #6) is granted and that this action is dismissed as moot. The Clerk of the Court
2 shall enter judgment accordingly.

3 DATED this 3rd day of March, 2010.

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6 Paul G. Rosenblatt
7 United States District Judge
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