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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA
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10 Ming Qiang Chen,

11 Petitioner,

12 vs.

13 Katrina S. Kane,

14 Respondent.

No. CV-10-2183-PHX-PGR (ECV)

ORDER

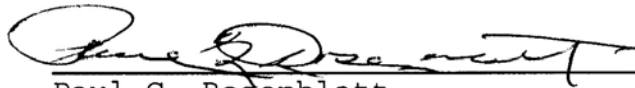
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16 Having reviewed *de novo* the Report and Recommendation of Magistrate
17 Judge Voss notwithstanding that no party has filed any objection to the Report
18 and Recommendation, the Court agrees with the Magistrate Judge that
19 petitioner's habeas petition, filed pursuant to 28 U.S.C. § 2241, wherein the
20 petitioner only sought release from immigration detention pending his removal to
21 the People's Republic of China, should be dismissed because the record
22 establishes that the petitioner was released from custody through an Order of
23 Supervision on February 9, 2011. Therefore,

24 IT IS ORDERED that the Magistrate Judge's Report and Recommendation
25 (Doc.10) is accepted and adopted by the Court.

26 IT IS FURTHER ORDERED that petitioner Ming Qiang Chen's Petition

1 Under 28 U.S.C. § 2241 for a Writ of habeas Corpus by a Person in Federal
2 Custody is dismissed without prejudice. The Clerk of the Court shall enter
3 judgment accordingly.

4 DATED this 5th day of April, 2011.

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7 Paul G. Rosenblatt
8 United States District Judge
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