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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA
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10 Jomela Islam,

11 Petitioner,

12 vs.

13 Katrina Kane,

14 Respondent.

No. CV-11-0515-PHX-PGR (LOA)

ORDER

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16 In her Petition for a Writ of Habeas Corpus, filed pursuant to 28 U.S.C.
17 § 2241, the petitioner alleges that her prolonged detention since the order
18 removing her to Bangladesh became final on August 31, 2010, violates Zadvydas
19 v. Davis, 533 U.S. 678 (2001) (concluding that the presumptively reasonable
20 period of post-removal-order detention is six months).

21 Having reviewed *de novo* the Report and Recommendation of Magistrate
22 Judge Anderson notwithstanding that no party has filed any objection to the
23 Report and Recommendation, the Court finds that the Magistrate Judge correctly
24 determined that the petitioner has met her initial burden of establishing that there
25 is good reason to believe that there is no significant likelihood that she will be
26 removed to Bangladesh in the reasonably foreseeable future, and that the

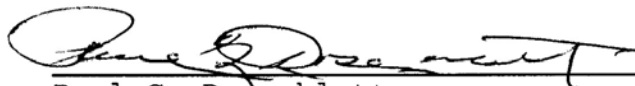
1 respondent has not met her burden of rebutting the petitioner's evidence with
2 sufficient evidence regarding the government's likelihood of obtaining travel
3 documents for the petitioner from the government of Bangladesh in the
4 reasonably foreseeable future. The Court thus agrees with the Magistrate
5 Judge's recommendation that the petitioner's habeas petition be granted and that
6 she be released from immigration detention if the petitioner's removal is not
7 effectuated by the Court's deadline. Therefore,

8 IT IS ORDERED that the Magistrate Judge's Report and Recommendation
9 (Doc. 11) is accepted and adopted by the Court.

10 IT IS FURTHER ORDERED that if the respondent fails to effectuate the
11 removal of the petitioner from the United States on or before October 31, 2011,
12 the petitioner's Petition Under 28 U.S.C. § 2241 for a Writ of Habeas Corpus by a
13 Person in Federal Custody will be granted and the respondent will be ordered to
14 release the petitioner from custody subject to appropriate conditions.

15 IT IS FURTHER ORDERED that the respondent shall file a report no later
16 than **12:00 p.m. (Noon) on November 2, 2011** setting forth the petitioner's
17 removal and detention status.

18 DATED this 20th day of September, 2011.

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20 
21 Paul G. Rosenblatt
United States District Judge