

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

WO

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Ankur Gupta,
Petitioner,
vs.
Katrina S. Kane,
Respondent.

No. CV-11-1827-PHX-PGR (LOA)

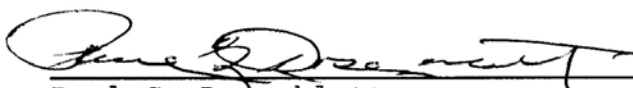
ORDER

In his Petition for a Writ of Habeas Corpus, filed pursuant to 28 U.S.C. § 2241, the petitioner argued that he was entitled to be released from immigration detention because his continued detention since the order removing him to India became final violates Zadvydas v. Davis, 533 U.S. 678 (2001). In a Report and Recommendation (Doc. 17) entered on January 12, 2012, Magistrate Judge Anderson recommended that the petitioner be released from custody unless the respondent provided the petitioner with an appropriate bond hearing within 60 days or showed that he had already received an appropriate post-removal period bond hearing. On January 13, 2012, the respondent filed a Notice to the Court Regarding Status of Petitioner’s Travel Documents (Doc. 18), wherein she in part stated that the petitioner’s removal was imminent because the petitioner’s travel documents

1 had been received from the government of India on January 6, 2012. On January
2 27, 2012, the respondent filed her Objections to the Report and Recommendation
3 (Doc. 20), wherein she stated that the petitioner was scheduled to be removed to
4 India on that date. On May 31, 2012, the respondent filed a Notice to the Court and
5 Suggestion of Mootness (Doc. 21), wherein she established that the petitioner was
6 removed from the United States on January 29, 2012. In light of the petitioner's
7 removal, the Court finds that no ruling needs to be made on the Report and
8 Recommendation given that this action is now moot. Therefore,

9 IT IS ORDERED that the petitioner's Petition Under 28 U.S.C. § 2241 for a
10 Writ of Habeas Corpus by a Person in Federal Custody is denied as moot and that
11 this action is dismissed. The Clerk of the Court shall enter judgment accordingly.

12 DATED this 5th day of June, 2012.

13
14 
15 Paul G. Rosenblatt
16 United States District Judge
17
18
19
20
21
22
23
24
25
26