

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

**MARTIN TORRES-HERNANDEZ**

**PETITIONER**

**VS.**

**NO. 4:08-CV-02043-BSM-BD**

**KARL BYRD, Sheriff,  
Faulkner County, Arkansas**

**RESPONDENT**

**ORDER**

On September 8, 2009, Petitioner filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 (docket entry #1) claiming Respondent is holding him in the Faulkner County Jail in violation of his constitutional rights. Petitioner has now filed a motion to voluntarily dismiss his petition (#8).

In his motion, Petitioner says that his petition is now moot because his counsel has been provided with documentation that the United States Department of Immigration, Customs, and Enforcement (“ICE”) has custody of Petitioner, and that the Faulkner County Jail is holding him pursuant to a contract it has with ICE to house people who are subject to deportation.

Accordingly, the Court GRANTS Petitioner’s Motion to Dismiss (#8). Petitioner’s case is DISMISSED WITHOUT PREJUDICE with each party to bear its own costs and expenses.

IT IS SO ORDERED this 15th day of September, 2008.

  

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UNITED STATES DISTRICT JUDGE