

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA**

ALVARO LIZARRAGA-SOSA, ) No. 08-cv-F-866 LJO TAG  
Petitioner, ) ORDER DISMISSING PETITION  
v. ) PURSUANT TO JOINT STIPULATION  
Michael Chertoff, Secretary of Homeland ) ORDER DIRECTING CLERK OF COURT  
Security, et al. ) TO CLOSE FILE  
Respondents. )

Petitioner is proceeding through counsel on a petition for writ of habeas corpus pursuant to 28 U.S.C. 2241. The instant petition was filed on June 19, 2008. (Doc. 1). Petitioner filed an amended petition on June 19, 2008. (Doc. 3). Petitioner challenged his continued detention by U.S. Immigration and Customs Enforcement (ICE). On October 20, 2008, the Court issued an Order to Show Cause, requiring Respondent to submit a response indicating why the petition should not be granted. (Doc. 8).

On January 8, 2009, prior to the issuance of a ruling on the merits of the amended petition, the parties filed a stipulation and proposed order for dismissal, indicating that, on December 18, 2008, Petitioner was granted a bond hearing before an Immigration Judge. (Doc. 11). At that hearing, the Immigration Judge denied the request for bond redetermination. (*Id.*, Attachment A). Because Respondents complied with the terms of the Order to Show Cause, the parties stipulated to dismissal of this action.

## ORDER

For the foregoing reasons, and GOOD CAUSE appearing therefor, the Court HEREBY ORDERS as follows:

1. The first amended petition (Doc. 3), is DISMISSED; and,
2. The Clerk of the Court is DIRECTED to close the file.

IT IS SO ORDERED

Dated: January 14, 2009

/s/ Lawrence J. O'Neill

1 UNITED STATES DISTRICT JUDGE  
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