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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

| | | |
|---------------------------|---|------------------------------------|
| THAO MANH PHOUNG, |) | 1:08-cv-01585 YNP [DLB] (HC) |
| |) | |
| Petitioner, |) | ORDER DISCHARGING ORDER TO SHOW |
| |) | CAUSE |
| v. |) | [Doc. #10] |
| |) | |
| ATTORNEY GENERAL, et al., |) | ORDER GRANTING MOTION TO DISMISS |
| |) | [Doc. #12] |
| Respondents. |) | ORDER DISMISSING PETITION FOR WRIT |
| |) | OF HABEAS CORPUS |

____ Petitioner, a detainee of the Bureau of Immigration and Customs Enforcement (“ICE”), has filed a pro se petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

On September 16, 2009, Respondent filed a motion to dismiss the petition for mootness. Respondent states Petitioner has been released from custody. In support of this contention, Respondent has submitted a copy of Petitioner’s alien file which shows Petitioner was removed from the United States on February 17, 2009. See Attachment 1 to Motion to Dismiss.

Accordingly, good cause having been presented and good cause appearing therefor, IT IS ORDERED that the Order to Show Cause of August 12, 2009, is DISCHARGED, and Respondent’s Motion to Dismiss the Petition is GRANTED, and the Petition is DISMISSED. The Clerk of Court is DIRECTED to enter judgment.

IT IS SO ORDERED.

Dated: October 7, 2009

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE