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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

STEVEN AMARA DIMOH,

1:09-cv-00612-OWW-DLB (HC)

Petitioner,

ORDER GRANTING RESPONDENT’S
MOTION TO DISMISS PETITION AS MOOT

v.

[Doc. 14]

ERIC H. HOLDER JR., et.al.,

Respondents.

Petitioner is detained by the U.S. Immigration and Customs Enforcement (“ICE”) and is proceeding with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241, and challenges the length of his detention.

On June 3, 2009, Respondent filed a motion to dismiss the petition as moot because Petitioner was released from ICE custody pursuant to an Order of Supervision on June 2, 2009. (See Attachment A (DACS Custody Summary Inquiry), to Motion.)

Because Petitioner has been released from custody on an order of supervision, and is not longer being detained, the instant petition challenging the length of his confinement is moot, and must be dismissed. *Cf. Picrin-Peron v. Rison*, 930 F.2d 773 (9th Cir. 1991) (habeas petition dismissed as moot because INS Director had released (paroled) alien petitioner).

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1 Accordingly, it is HEREBY ORDERED that:

2 1. Respondents' motion to dismiss the petition is GRANTED; and,

3 2. The instant petition for writ of habeas corpus is DISMISSED as MOOT.

4 IT IS SO ORDERED.

5 Dated: August 3, 2009

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE

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