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8	UNITED STAT	ES DISTRICT COURT
9	EASTERN DISTRICT OF CALIFORNIA	
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11	HAAMID DARCUIEL,) Case No.: 1:14-cv-01664-JLT
12	Petitioner,) ORDER DISMISSING PETITION FOR WRIT OF
13	V.) HABEAS CORPUS AS MOOT (Doc. 1)
14	FEDERAL BUREAU OF PRISONS	 ORDER DIRECTING CLERK OF THE COURT TO ENTER JUDGMENT AND CLOSE CASE
15	ATWATER, Respondent.	
16)
17	In this matter, Petitioner challenges the decision of the Bureau of Prisons not to place him in a	
18	halfway house at the end of his sentence. However, because it appears Petition has been released from	
19	custody, the Court ORDERS the petition DISMISSED as MOOT.	
20	I. PROCEDURAL HISTORY	
21	The Court learned that Petitioner had be	een released from Respondent's custody on March 11,
22	2015. Since the only issued raised in the petition is Petitioner's placement immediately prior to the	
23	completion of his sentence, it thus appeared that the petition was moot and should be dismissed.	
24	Accordingly, on November 6, 2015, the Court issued an Order to Show Cause why the petition should	
25	not be dismissed as moot. (Doc. 18). That order gave the parties thirty days within which to file a	
26	response. To date, neither party has filed a response. Moreover, the Order to Show Cause sent to	
27	Petitioner was returned to the Court marked "U	ndeliverable, no longer at facility" on November 20,
28	2015.	

1	II. DISCUSSION		
2	The case or controversy requirement of Article III of the Federal Constitution deprives the		
3	Court of jurisdiction to hear moot cases. Iron Arrow Honor Soc'y v. Heckler, 464 U.S. 67, 70 104		
4	S.Ct. 373, 374-75 (1983); N.A.A.C.P., Western Region v. City of Richmond, 743 F.2d 1346, 1352		
5	(9th Cir. 1984). A case becomes moot if the "the issues presented are no longer 'live' or the parties		
6	lack a legally cognizable interest in the outcome." <u>Murphy v. Hunt</u> , 455 U.S. 478, 481 (1982). The		
7	Federal Court is "without power to decide questions that cannot affect the rights of the litigants before		
8	them." North Carolina v. Rice, 404 U.S. 244, 246 (1971) per curiam, quoting Aetna Life Ins. Co. v.		
9	Hayworth, 300 U.S. 227, 240-241 (1937).		
10	As mentioned, the only issue in the petition concerned Petitioner's placement prior to his		
11	release from custody. It now appears that Petitioner has been released from custody. Hence, the issue		
12	raised in the petition no longer involves a case or controversy and is, therefore, moot.		
13	ORDER		
14	For the foregoing reasons, the Court ORDERS :		
15	1. The petition for writ of habeas corpus (Doc. 1), is DISMISSED as MOOT ;		
16	2. The Clerk of the Court is DIRECTED to enter judgment and close the file;		
17	3. No certificate of appealability is required.		
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19	IT IS SO ORDERED.		
20	Dated: January 28, 2016 /s/ Jennifer L. Thurston		
21	UNITED STATES MAGISTRATE JUDGE		
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