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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MOUSA AL MAHA BASHEER,

Petitioner,

v.

DAVID W. JENNINGS, *et al.*,

Respondent.

Case No. 1:18-cv-00585-JDP

FINDINGS AND RECOMMENDATIONS
TO GRANT RESPONDENT’S MOTION TO
DISMISS

ECF No. 12

OBJECTIONS, IF ANY, DUE IN 14 DAYS

ORDER DIRECTING CLERK OF COURT
TO ASSIGN DISTRICT JUDGE

Petitioner Mousa Al Maha Basheer filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 while detained by the U.S. Bureau of Immigration and Customs Enforcement (“ICE”). ECF No. 1. This court issued an order requiring respondent to file a response to the petition. ECF No. 11.

Respondent has filed a response that included a motion to dismiss the petition for mootness. ECF No. 12. Respondents state that petitioner has been removed and is no longer in detention. *See id.* at 1. In support of this contention, respondent has submitted a declaration by Deportation Officer Robert Dutra. *See* ECF No. 12-1. Petitioner has not responded to the motion to dismiss, and case filings have been returned to the court as undeliverable.

For these reasons:

- 1. The clerk of the court is directed to randomly assign a district judge to this case;
- 2. Respondent is directed to mail a copy of these findings and recommendations to

1 petitioner at his last known address; and

2 3. It is recommended that:

- 3 a. respondent's motion to dismiss, ECF No. 12, be granted;
- 4 b. the petition for writ of habeas corpus, ECF No. 1, be denied as moot; and
- 5 c. the clerk be directed to close this case.

6 These findings and recommendations will be submitted to the U.S. district judge
7 assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within fourteen
8 (14) days of service of these findings and recommendations, plaintiff may file written
9 objections with the court. If plaintiff files such objections, he should do so in a document
10 captioned "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is
11 advised that failure to file objections within the specified time may result in the waiver of rights
12 on appeal. *See Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014) (citing *Baxter v.*
13 *Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991)).

14
15 IT IS SO ORDERED.

16 Dated: October 11, 2018

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18 UNITED STATES MAGISTRATE JUDGE