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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 VIOLENA FELIX-LEON,
12 Movant,
13 v.
14 UNITED STATES OF AMERICA,
15 Respondent.

Case No.: 3:16-cv-02202-BEN
3:14-cr-03603-BEN-1

**ORDER DENYING AS MOOT
MOTION TO VACATE, SET ASIDE,
OR CORRECT SENTENCE UNDER
28 U.S.C. § 2255**

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17 On August 13, 2015, Movant Violena Felix-Leon was convicted and sentenced to
18 57 months in custody for violating 21 U.S.C. §952, 960. Movant pleaded guilty pursuant
19 to a plea agreement wherein she waived her right to collaterally attack her conviction and
20 sentence. Notwithstanding her waiver, On August 30, 2016, Movant proceeding pro se
21 filed a Motion to Vacate, Set Aside, or Correct her Sentence pursuant to 28 U.S.C. §
22 2255. (Docket No. 31.)¹ In short, Movant’s motion asks the Court to vacate her
23 sentence, grant her a minor role reduction, and re-sentence her accordingly; she did not
24 challenge her conviction. Respondent, the United States (“the government”), filed a
25 response, opposing the motion.
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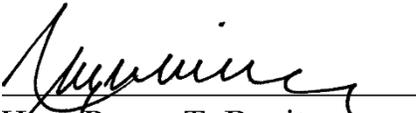
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28 ¹ All docket citations refer to the criminal case docket, No. 14-cr-03603-BEN-1.

1 The Court takes judicial notice that on March 15, 2017, while Movant’s motion
2 was pending, she was released from the Bureau of Prisons’ (“BOP’s”) custody. *See*
3 Federal Bureau of Prisons Website, *Inmate Locator Detail for Violena Felix-Leon*,
4 *Register No. 48732-298*, available at <https://www.bop.gov/inmateloc/>; *Qureshi v.*
5 *Sanders*, 563 F. Supp. 2d 1154, 1156 n.2 (C.D. Cal. 2008) (taking judicial notice of
6 BOP’s “Inmate Locator” website, which showed petitioner’s release from BOP’s
7 custody).

8 As a result, Movant’s motion is moot. *See Aaron v. Pepperas*, 790 F.2d 1360,
9 1361-62 (9th Cir. 1986) (concluding petitioner’s habeas petition moot where petitioner
10 has satisfied his sentence and “merely contests the imposition and duration of his
11 sentence”). Therefore, Movant’s motion is denied.

12 **IT IS SO ORDERED.**

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14 Dated: April 10, 2018

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16 Hon. Roger T. Benitez
17 United States District Judge
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