

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Action No. 10-cv-02898-REB

ASRES FIKRE TOLOSSA,

Applicant,

v.

JOHN LONGSHORE, Field Director, Immigration and Customs Enforcement, Denver District;

JANET NAPOLITANO, Secretary of the Department of Homeland Security;

JOHN MORTON, Director for Immigration and Customs Enforcement; and

ERIC HOLDER, Attorney General, United States of America,

Respondents.

**ORDER VACATING ORDER THAT APPLICANT REMAIN
IN CUSTODY AND WITHIN THE JURISDICTION OF THIS COURT**

Blackburn, J.

This matter is before the court on its own motion. On November 30, 2010, the court issued an **Order To Show Cause** [#2]¹ requiring the respondents to show cause why the writ of habeas corpus sought by the applicant, Asres Fikre Tolossa, should not be granted. In the **Order To Show Cause** [#2], the court ordered also that “the applicant shall remain in custody and within the jurisdiction of this court until further order.” *Order To Show Cause* [#2], p. 2. On July 12, 2011, the court entered an order [#16] dismissing the applicant’s petition for a writ of habeas corpus and this case. In that order [#16], the court did not explicitly withdraw its earlier order that the applicant

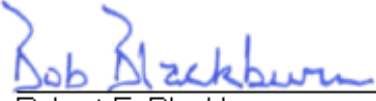
¹ “[#2]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court’s case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

remain in custody and within the jurisdiction of the court. Now that this case has been resolved, there is no valid reason to continue the requirement that the applicant remain in custody and within the jurisdiction of the court.

THEREFORE, IT IS ORDERED that the portion of the court's **Order To Show Cause** [#2] filed November 30, 2010, which requires that "the applicant shall remain in custody and within the jurisdiction of this court until further order" is **VACATED**.

Dated July 20, 2011, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge