

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

JACQUELIN JASON DARIUS,

Petitioner,

v.

CASE NO. 4:08-cv-00084-MP-WCS

MICHAEL CHERTOFF,
DEPARTMENT OF HOMELAND SECURITY,
DAVID HARVEY,
MICHAEL MUKASEY,
MICHAEL ROZOS,

Respondents.

ORDER

This matter is before the Court on Doc. 18, Report and Recommendation of the Magistrate Judge, recommending that the § 2241 petition filed by Petitioner Jacquelin Jason Darius be dismissed as moot since it appears Petitioner has been released from detention and removed to Haiti on March 26, 2008. The Report and Recommendation was mailed to the last address given by Petitioner, but was returned as undeliverable. The Court agrees that this matter is moot, and accordingly, it is hereby

ORDERED AND ADJUDGED:

1. The Report and Recommendation of the Magistrate Judge is adopted and incorporated herein.
2. This case is dismissed and the Clerk is directed to close the file.

DONE AND ORDERED this 29th day of December, 2008

s/Maurice M. Paul

Maurice M. Paul, Senior District Judge