

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

**SOMCITH SYOUNTHONE,**

**Petitioner,**

**vs.**

**CASE NO. 4:08cv108-RH/WCS**

**ALBERTO GONZALEZ, et al.,**

**Respondents.**

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**REPORT AND RECOMMENDATION**

Pending is Petitioner's petition for writ of habeas corpus. Doc. 1. In an order entered March 12, 2008, Petitioner was directed to submit the \$5.00 filing fee or, alternatively, file a motion for leave to proceed *in forma pauperis* by April 11, 2008. Doc. 4. On March 19, 2008, Petitioner's copy of that order was returned to the clerk's office undelivered. Doc. 5. A call to the Wakulla County Jail reveals that the Petitioner was released from custody on March 7, 2008. Petitioner's last and only submission to the court was his original petition for writ of habeas corpus filed March 7, 2008. Doc. 1. It is Petitioner's responsibility to prosecute his own lawsuit and to keep this court apprised of his current address. Since Petitioner has been released from custody his petition is moot.

Accordingly, it is **RECOMMENDED** that this case be **DISMISSED**.

**IN CHAMBERS** at Tallahassee, Florida, on September 11, 2008.

S/ William C. Sherrill, Jr.  
**WILLIAM C. SHERRILL, JR.**  
**UNITED STATES MAGISTRATE JUDGE**

**NOTICE TO PARTIES**

Within 15 days after being served with a copy of this report and recommendation, a party may serve and file specific, written objections to the proposed findings and recommendations. A party may respond to another party's objections within 10 days after being served with a copy thereof. Failure to file specific objections limits the scope of review of proposed factual findings and recommendations.