

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 17-cv-20416-GAYLES/WHITE

**NUR MOHAMED MOHAMUD,
Petitioner,**

v.

**JEFF SESSIONS, *Attorney General of the
United States, et al.,*
Defendants.**

ORDER AFFIRMING AND ADOPTING REPORT OF MAGISTRATE JUDGE

THIS CAUSE comes before the Court on Magistrate Judge Patrick A. White's Report of Magistrate Judge [ECF No. 9], entered on March 21, 2017. Petitioner Nur Mohamed Mohamud, who appears in this action *pro se*, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. §§ 2241–43 on December 16, 2016, challenging his continued detention by the U.S. Department of Homeland Security, Bureau of Immigration and Customs Enforcement [ECF No. 1]. The matter was referred to Judge White, pursuant to Administrative Order 2003-19 of this Court, for a ruling on all pretrial, nondispositive matters, and for a Report and Recommendation on any dispositive matters. [ECF No. 3].

Judge White's Report recommends that the Court dismiss the petition action because there no longer exists an Article III case or controversy, as the Petitioner was removed from the United States and sent to Somalia on March 9, 2017. The Report also recommends that no certificate of appealability be issued. Objections to the Report were due by April 4, 2017. To date, no objections have been filed.

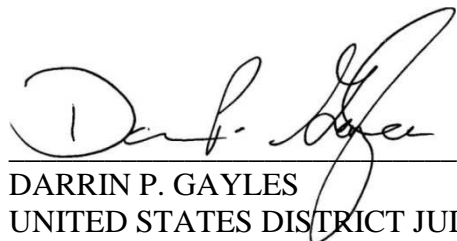
A district court may accept, reject, or modify a magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1). Those portions of the report and recommendation to which objec-

tion is made are accorded *de novo* review, if those objections “pinpoint the specific findings that the party disagrees with.” *United States v. Schultz*, 565 F.3d 1353, 1360 (11th Cir. 2009); *see also* Fed. R. Civ. P. 72(b)(3). If no objections are filed, the district court need only review the report and recommendation for “clear error.” *Macort v. Prem, Inc.*, 208 F. App’x 781, 784 (11th Cir. 2006) (per curiam); *see also* Fed. R. Civ. P. 72 advisory committee’s note. The Court has undertaken this review and has found no clear error in the analysis and recommendations stated in the Report. Accordingly, it is

ORDERED AND ADJUDGED that the Report [ECF No. 9] is **AFFIRMED AND ADOPTED** and incorporated into this Order by reference. The Plaintiff’s Petition for Writ of Habeas Corpus [ECF No. 1] is **DISMISSED WITHOUT PREJUDICE**. No certificate of appealability shall issue.

This action is **CLOSED**.

DONE AND ORDERED in Chambers at Miami, Florida, this 24th day of April, 2017.


DARRIN P. GAYLES
UNITED STATES DISTRICT JUDGE