

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

Case No. 18-20589-CIV-GAYLES/WHITE

LAZARO DIAZ CARDENAS,

Petitioner,

v.

JEFF SESSIONS, et al.,

Respondents.

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 (“Report”) [ECF No. 12]. Petitioner filed a pro se petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 challenging his detention by the United States Department of Homeland Security, Bureau of Immigration and Customs Enforcement (“ICE”) [ECF No. 1]. The matter was referred to Judge White, pursuant to 28 U.S.C. § 636(b)(1)(B) and Administrative Order 2003-19 of this Court, for a ruling on all pretrial, non-dispositive matters, and for a Report and Recommendation on any dispositive matters. [ECF No. 2]. Because Petitioner was released from ICE custody pursuant to an order of supervision entered March 10, 2018, Judge White recommends that the Court dismiss the Petition as moot. Petitioner has not objected to the Report.

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 objection 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). Any portions of the report and recommendation to which *no* specific objection

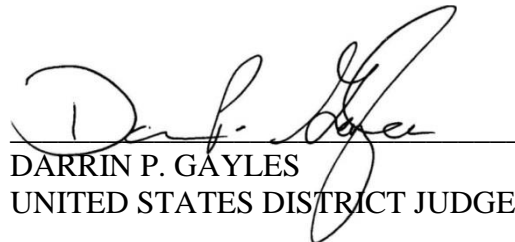
is made are reviewed only for clear error. *Liberty Am. Ins. Grp., Inc. v. WestPoint Underwriters, L.L.C.*, 199 F. Supp. 2d 1271, 1276 (M.D. Fla. 2001); *accord Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006).

This Court finds no clear error with Judge White's well-reasoned analysis and agrees that the Petition must be dismissed.

Accordingly, after careful consideration, it is **ORDERED AND ADJUDGED** as follows:

- (1) Judge White's Report and Recommendation [ECF No. 12] is **AFFIRMED AND ADOPTED** and incorporated into this Order by reference;
- (2) the Petition [ECF No. 1] is **DISMISSED as moot**; and
- (3) this case is **CLOSED**.

DONE AND ORDERED in Chambers at Miami, Florida, this 1st day of May, 2018.


DARRIN P. GAYLES
UNITED STATES DISTRICT JUDGE