

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION**

**SAMUEL K. CHEGE  
A# 088931588  
Reg. # 35762-265**

**CIVIL ACTION NO. 10-1305**

**SECTION P**

**VS.**

**JUDGE MINALDI**

**PHILLIP F. MILLER, ET AL**

**MAGISTRATE JUDGE KAY**

**REPORT AND RECOMMENDATION**

Before the court is a petition for writ of habeas corpus filed pursuant to 28 U.S.C. §2241 by *pro se* petitioner, Samuel K. Chege, on August 9, 2010. At the time of filing, petitioner was an immigration detainee in the custody of the Department of Homeland Security/United States Immigration and Customs Enforcement (DHS/ICE) and was detained at the Federal Detention Center, Oakdale, Louisiana. By this petition, he sought review of his custody status.

On August 16, 2010, petitioner filed a motion for release from custody [Doc. 3]. This was the last correspondence that the court received from petitioner.

Information on the Federal Bureau of Prison's website establishes that the petitioner was released from post-removal-order detention custody on August 16, 2010. Therefore, the court finds that his challenge to his detention is now moot and should be dismissed.

Accordingly,

**IT IS RECOMMENDED** that the petition be **DENIED** and **DISMISSED** as moot.

**IT IS ALSO RECOMMENDED** that petitioner's Motion for Release From Custody [Doc. 3] be **DENIED** as moot.

Under the provisions of 28 U.S.C. §636(b)(1)(C), the parties have fourteen (14) business days from receipt of this Report and Recommendation to file any objections with the Clerk of Court. Timely objections will be considered by the district judge prior to a final ruling.

**FAILURE TO FILE WRITTEN OBJECTIONS TO THE PROPOSED FINDINGS AND RECOMMENDATIONS CONTAINED IN THIS REPORT WITHIN FOURTEEN (14) BUSINESS DAYS FROM THE DATE OF ITS SERVICE SHALL BAR AN AGGRIEVED PARTY FROM ATTACKING ON APPEAL, EXCEPT UPON GROUNDS OF PLAIN ERROR, THE UNOBTAINED TO PROPOSED FACTUAL FINDINGS AND LEGAL CONCLUSIONS ACCEPTED BY THE DISTRICT COURT.**

THUS DONE AND SIGNED, in Chambers, at Lake Charles, Louisiana, this 9<sup>th</sup> day of November, 2010.

  
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KATHLEEN KAY  
UNITED STATES MAGISTRATE JUDGE