

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

STEVENSON KAM,

Petitioner,

v.

JACK KAVANAGH, et al.,

Respondents.

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Civil Action No. RWT-09-2227

MEMORANDUM OPINION

Stevenson Kam, while held in Department of Homeland Security, Bureau of Immigration and Customs Enforcement (“ICE”) custody at the Howard County Detention Center in Maryland awaiting deportation, filed this 28 U.S.C. § 2241 Petition for Writ of Habeas Corpus, pro se, claiming that his continued ICE detention violated the dictates of Zadvydas v. Davis, 533 U.S. 678 (2001). Respondent filed a Motion to Dismiss Petition Against Certain Respondents,¹ and a Response to the Petition. Paper No. 4. Petitioner filed a reply to which the Government responded. Paper Nos. 6 and 7.

On November 19, 2009, the Court entered a Memorandum Opinion and Order, dismissing the Petition as to Respondents Calvin McCormick, George W. Maugans, III, and Janet Napolitano, and directing the Government to provide additional information concerning Petitioner’s removal. Paper Nos. 8 and 9. The Government has now filed a status report indicating that Petitioner was removed on December 7, 2009. Paper No. 10.

¹ Jack Kavanagh, Warden of the Howard County Detention Center, is the only proper Respondent. See Rumsfeld v. Padilla, 542 U.S. 426, 435 (2004) (proper respondent to pure detention petition for writ of habeas corpus is the

In light of this information, Petitioner's habeas challenge to his post-order detention under Zadvydas v. Davis, 505 U.S. 277 (2001) has been rendered moot. A separate Order shall be entered dismissing this Petition without oral hearing.

December 16, 2009
Date

/s/
ROGER W. TITUS
UNITED STATES DISTRICT JUDGE

person who has immediate custody of the party detained). The Petition shall be dismissed as to all other named Respondents.