



removal-order detention under 8 U.S.C. § 1231(a)(6) does not authorize the Attorney General to detain an alien indefinitely beyond the removal period, but limits an alien's post-removal-order detention to a period reasonably necessary to effectuate removal from the United States). Donzo asserts he has been in detention for longer than six months and is unlikely to be removed in the reasonably foreseeable future. ECF No. 1 at 7.

Respondents seek dismissal of the Petition arguing it has been rendered moot by Donzo's removal from the United States on December 29, 2015, pursuant to the final order of removal. *See* ECF No. 8-1.

## II. DISCUSSION

Upon completion of removal proceedings and entry of the final removal order, the Attorney General is directed to remove the alien from the United States within ninety days. *See* 8 U.S.C. § 1231(a)(1)(A). The purpose of detaining a deportable alien is to insure his presence at the moment of removal. *Zadvydas*, 533 U.S. at 699. The Supreme Court held in *Zadvydas* that post-removal-order detention under 8 U.S.C. § 1231(a)(6) is implicitly limited to a period reasonably necessary to bring about the alien's removal from the United States and does not permit indefinite detention. *Id.* at 689. After this period:

[O]nce the alien provides good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing. And for detention to remain reasonable, as the period of prior post-removal confinement grows, what counts as the "reasonably foreseeable future" conversely would have to shrink. This 6-month presumption, of course, does not mean that every alien not removed must be released after six months. To the contrary, an alien may be held in confinement until it has been determined that there is no significant likelihood of removal in the reasonably foreseeable future.

*Id.* at 701.

Donzo's petition requests release from confinement on the grounds that his continued

post-removal-order detention violates the standards set by *Zadvydas*. Petitioner's release from ICE custody and his removal from the United States render this action moot as there is no habeas relief for the Court to grant. See *Soliman v. United States*, 296 F.3d 1237, 1243 (11th Cir. 2002); *Picron-Peron v. Rison*, 930 F.2d 773,775-76 (9th Cir. 1991).

### III. CONCLUSION

For the foregoing reasons, Petitioner's request for habeas corpus relief is **DISMISSED** as moot. A separate Order follows.

Dated: January 27, 2016



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GEORGE J. HAZEL  
United States District Judge