

pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, the Court accepts as true all well-pleaded facts in the light most favorable to the plaintiff and draws all reasonable inferences from those facts in favor of the plaintiff. United States ex rel. Hutcheson v. Blackstone Med., Inc., 647 F.3d 377, 383 (1st Cir. 2011).

Here, the motion to dismiss explained that there was a significant likelihood of Mr. Fontellio's removal in the reasonably foreseeable future and the continued detention remains lawful and the subsequent Status Report confirmed that Mr. Fontellio was removed from the United States.

ACCORDINGLY, the respondent's motion to dismiss is granted and the habeas petition is dismissed.

SO ORDERED.

/s/ Patti B. Saris
PATTI B. SARIS
CHIEF UNITED STATES DISTRICT JUDGE