

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Roberto Dominguez Cisneros,

Petitioner,

v.

Civil No. 13-2606 (JNE/JJK)
ORDER

Janet Napolitano, Secretary of the Department of Homeland Security; Eric Holder, Attorney General of the United States; Scott Baniecek, Field Office Director, Immigration and Customs Enforcement; and Bob Kindler, Freeborn County Sheriff,

Respondents.

Petitioner Roberto Dominguez Cisneros is a Lawful Permanent Resident who was detained by federal immigration authorities during the pendency of his removal proceedings under the mandatory custody provisions at 8 U.S.C. § 1226(c). In September 2013, Mr. Dominguez brought this petition for a writ of habeas corpus under 28 U.S.C. § 2241, through which he sought his release or, at a minimum, an individualized custody determination. The Respondents opposed such relief.

In January 2014, the Board of Immigration Appeals terminated the removal proceedings against Mr. Dominguez and he was released from custody. Mr. Dominguez subsequently asserted that his release from custody did not moot his petition, a position with which the Respondents disagreed.

In a Report and Recommendation filed on February 7, 2014, the Honorable Jeffrey J. Keyes, United States Magistrate Judge, recommended that the Court find that the petition has

been mooted by Mr. Dominguez's release and dismiss the case with prejudice. ECF No. 21. No objections to the Report and Recommendation were filed.

Having conducted a de novo review of the record, *see* D.Minn. LR 72.2(b), the Court now adopts the Report and Recommendation.

THEREFORE, IT IS ORDERED THAT:

1. Petitioner's Petition for Writ of Habeas Corpus [ECF No. 1] is DENIED AS MOOT.
2. This case is DISMISSED WITH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 26, 2014

s/Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge