

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

ENRIQUE VILLA GOMEZ

PETITIONER

V.

CIVIL ACTION NO. 3:18-CV-237-DPJ-FKB

WARDEN CHERON

RESPONDENT

ORDER

This habeas petition filed under 28 U.S.C. § 2241 is before the Court on the unopposed Report and Recommendation [10] of United States Magistrate Judge F. Keith Ball. Judge Ball recommended that Petitioner Enrique Villa Gomez’s petition regarding the Federal Bureau of Prisons’ calculation of his sentence be dismissed as moot because Gomez was released from custody on July 9, 2018. Report & Recommendation [10]; *see* Pet’r’s Mem. [2] at 4 (seeking “Credit For Time Served”); *Belasco v. Warden, Fed. Corr. Inst. Big Spring*, 156 F. App’x 671 (5th Cir. 2005) (finding appeal from dismissal of § 2241 petition “challenging the method used by the Bureau of Prisons . . . for calculating good-time credits” moot upon petitioner’s release from federal custody). Gomez failed to file an objection to the Report and Recommendation, and the time to do so has now expired.¹

Because the Court agrees with Judge Ball that Gomez’s habeas petition is now moot, it adopts the Report and Recommendation [10] as the opinion of the Court. Gomez’s habeas petition is dismissed. A separate judgment will be entered in accordance with Federal Rule of Civil Procedure 58.

SO ORDERED AND ADJUDGED this the 30th day of April, 2019.

s/ Daniel P. Jordan III
CHIEF UNITED STATES DISTRICT JUDGE

¹ The copy of the Report and Recommendation the Court mailed to Gomez was returned as undeliverable. Notice [11].