

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ROBERT S. HILLARD, )  
                          )  
                         Petitioner, )                          8:14CV310  
                          )  
                          )  
                         v. )  
                          )  
                          )  
BARBARA LEWIEN, Warden, and )                          MEMORANDUM OPINION  
SCOTT FRAKES, )  
                          )  
                          )  
                         Respondents. )  
                          )  
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This matter is before the Court on Respondents Barbara Lewien's and Scott Frakes's unopposed Motion to Dismiss (Filing No. [16](#)). Respondents argue petitioner Robert S. Hillard's Petition for Writ of Habeas Corpus (Filing No. [1](#)) should be dismissed as moot because he is no longer incarcerated, having been mandatorily discharged from the Nebraska Department of Corrections on February 25, 2015. For the reasons set forth by respondents in their Brief in Support of Motion to Dismiss (Filing No. [18](#)), the Court agrees that there is no existing case or controversy upon which this Court may grant relief. A

separate order will be entered in accordance with this memorandum opinion.

DATED this 22nd day of September, 2015.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court