

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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TACUMA J. MWANZA,

Case No. 3:16-cv-00643-MMD-WGC

Petitioner,

ORDER

v.

WARDEN FILSON, *et al.*

Respondents.

Before the Court are the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 (ECF No. 8) and respondents' motion to dismiss (ECF No. 10). The Court finds that this action is moot, and the Court grants the motion to dismiss.

When petitioner commenced this action he was in custody pursuant to a judgment of conviction of a state court. The sole ground for relief challenges the validity of forfeiture of credits toward an earlier release from prison. Petitioner does not challenge the validity of the judgment of conviction. Petitioner's sentence has expired, and he has been released from prison. (Exh. 38 (ECF No. 11-38).) Consequently, the Court cannot grant petitioner any relief.

Reasonable jurists would not find the Court's conclusion to be debatable or wrong, and the Court will not issue a certificate of appealability.

It is therefore ordered that respondents' motion to dismiss (ECF No. 10) is granted. This action is dismissed as moot. The Clerk of the Court will enter judgment accordingly and close this action.

It is further ordered that a certificate of appealability is denied.

DATED THIS 8th day of August 2017.



MIRANDA M. BELL

MIRANDA M. DU
UNITED STATES DISTRICT JUDGE