

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

STEVEN LEATH,	:	
	:	No. 17-cv-3178 (NLH)
Petitioner,	:	
	:	
v.	:	MEMORANDUM
	:	
WARDEN DAVID ORTIZ,	:	
	:	
Respondent.	:	
	:	

1. Petitioner filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, in which he sought consideration for residential reentry center placement. ECF No. 1.

2. Respondent filed an Answer to the Petition in which Respondent argued that, *inter alia*, Petitioner's request was premature because prisoners are not considered for residential reentry placement until seventeen to nineteen months before their projected release date. ECF No. 7 at 2-3.

3. After the Petitioner filed a motion to expedite consideration of his Petition and in light of the Respondent's arguments regarding the timeframe for residential reentry consideration, the Court issued an order directing the parties to provide a status update regarding Petitioner's consideration for residential reentry placement and noted that the Petition may be moot if the Petitioner had been considered for placement. ECF No. 10.

4. Pursuant to the order, Respondent filed a status update including a declaration explaining that Petitioner had been considered for and granted residential reentry placement. See ECF No. 11.

5. 5. Petitioner did not provide the Court with a status update.

6. Because Petitioner received the relief he was requesting, i.e. residential reentry consideration, it appeared to the Court that the § 2241 petition should be dismissed as moot for failure to present a case or controversy for which this Court could provide relief. See, e.g., Brown v. Warden Fairton FCI, 617 F. App'x 117 (3d Cir. 2015) (dismissing appeal of § 2241 petition as moot because petitioner received his requested residential reentry center consideration).

7. On November 21, 2018, the Court issued an order to show cause within fourteen (14) days why the Petition should not be dismissed as moot. See ECF No. 12.

7. The Petitioner has failed to show cause or respond in any way to that Order and has not corresponded with the Court since April 9, 2018.

8. As such, the Court will dismiss this Petition pursuant to § 2241 as moot.

Dated: December 11, 2018
At Camden, New Jersey

s/ Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.