

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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FELIPE MIGUEL JIMENEZ,	:	
	:	Civil Action No. 17-872 (JMV)
Petitioner,	:	
	:	
v.	:	OPINION
	:	
TISH CASTILLO,	:	
	:	
Respondent.	:	
_____	:	

VAZQUEZ, United States District Judge

On January 31, 2017, the United States District Court, Southern District of New York transferred to this Court Felipe Jimenez’s Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 (ECF No. 1), challenging his prolonged detention by U.S. Immigration and Customs Enforcement (“ICE”). This Court ordered Respondent to answer the petition. (ECF No. 6.) Respondent submitted an I-205 form, showing that Petitioner was removed from the United States on February 21, 2017. (ECF No. 8-1.) Respondent contends the habeas petition is moot. (ECF No. 8.)

A habeas petition “generally becomes moot when [a petitioner] is released from custody” because there is no longer “an actual injury traceable to the defendant and likely to be redressed by a favorable judicial decision.” *Vasquez v. Aviles*, 639 F. App’x 898, 902 (3d Cir. 2016) (quoting *DeFoy v. McCullough*, 393 F.3d 439, 442 (3d Cir. 2005)). The present petition no longer presents a case or controversy under Article III, § 2 of the United States Constitution because Petitioner is no longer detained by ICE. *See id.* (finding petition moot where there were no collateral consequences that could be addressed by success on the petition after removal) (citing

Abdala v. I.N.S., 488 F.3d 1061, 1064 (9th Cir. 2007)). Therefore, the petition is dismissed as moot.

An appropriate Order follows.

Date: March 22, 2017
At Newark, New Jersey

s/ John Michael Vazquez
JOHN MICHAEL VAZQUEZ
United States District Judge