

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----x
BOZZUTO,

Petitioner,

v.

UNITED STATES OF AMERICA,

Defendant.
-----x

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#: _____
DATE FILED: 10/13/2020

16-cv-07149-ALC

ORDER

ANDREW L. CARTER, JR., District Judge:

On August 19, 2020, this Court issued an Order to Show Cause, ECF No. 7, why this matter should not be dismissed as moot in light of Mr. Bozzuto's release from prison on October 19, 2018. *See United States v. Key*, 602 F.3d 492, 494 (2d Cir. 2010) (finding challenge to criminal sentence moot where former-prisoner had been released and the "possibility [of termination of supervised release] is too 'remote and speculative' to 'satisf[y] the case-or-controversy requirement of Article III, Section 2 of the Constitution.'"). The United States served the Order to Show Cause on Petitioner by mail and email. ECF. No. 9 at 1. For its own response, the United States took the position that Mr. Bozzuto's claim was indeed moot. ECF No. 9 at 2. To date, Mr. Bozzuto has not responded to the Court's order.

The Court hereby concludes that Mr. Bozzuto's claim is moot in light of his release from prison and the remote and speculative nature of any early termination of supervised release. *United States v. Williams*, 475 F.3d 468, 479 (2d Cir. 2007); *see also United States v. Blackburn*, 461 F.3d

259, 262 (2d Cir. 2006). This matter is therefore DISMISSED. The Clerk of Court is respectfully directed to close this case. The United States is ORDERED to serve this Order on Mr. Bozzuto and file proof of service by October 27, 2020.

SO ORDERED.

Dated: October 13, 2020

New York, New York

A handwritten signature in black ink, appearing to read "Andrew L. Carter, Jr.", written over a horizontal line.

ANDREW L. CARTER, JR.
United States District Judge