

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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ZIMRAN MICHAEL, A99-756-584,

Petitioner,

DECISION AND ORDER

07-CV-6440L

v.

CHARLES MULE, Facilities Director,  
Buffalo Federal Detention Facility;  
DAVID VENTURELLA, Director, Post-Order  
Detention Unit, Bureau of Immigration  
and Customs Enforcement; WILLIAM CLEARY,  
District Director DRO Field Office;  
ALBERTO GONZALES, Attorney General of the  
United States,

Respondents.

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By notice of motion filed February 5, 2008 (Dkt. #9), respondents moved to dismiss this petition, which had been filed pursuant to 28 U.S.C. § 2241, on the grounds that the petition is now moot. Based on the affidavit of Assistant United States Attorney Gail Y. Mitchell, I agree with respondents that the petition is indeed moot because petitioner has obtained the relief that he sought, that is, release from administrative custody pending his deportation. Based on that administrative decision releasing petitioner, the petition is moot and is therefore dismissed.

CONCLUSION

The petition of Zimran Michael for relief under 28 U.S.C. § 2241 is dismissed.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "David G. Larimer". The signature is written in a cursive style with a large, sweeping initial "D".

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DAVID G. LARIMER  
United States District Judge

Dated: Rochester, New York  
February 7, 2008.