

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
NORTHEASTERN DIVISION

Robert Varney Hill,	)	
	)	
Petitioner,	)	
	)	Case No. 2:09-cv-110
vs.	)	
	)	<b>REPORT AND</b>
Eric H. Holder, Attorney General, et al.,	)	<b>RECOMMENDATION</b>
	)	
Respondents.	)	

Petitioner Robert Varney Hill (“Hill”) filed a petition for a writ of habeas corpus (Doc. #1) pursuant to 28 U.S.C. § 2241 asserting claims arising out of his detention by Immigration and Customs Enforcement (“ICE”) pending removal to the Republic of Liberia (“Liberia”). Because petitioner alleged cognizable claims, the court ordered service upon the respondents. The respondents filed a motion to dismiss (Doc. #3) along with proof that Hill was removed from the United States on an ICE repatriation charter to Liberia on January 26, 2010. (Doc. #4-1). Consequently, Hill’s petition is moot. Accordingly, it is **RECOMMENDED** that respondents’ motion to dismiss (Doc. #3) be **GRANTED**, and Hill’s petition for a writ of habeas corpus (Doc. #1) be **DISMISSED** with prejudice.

Dated this 24th day of February, 2010.

/s/ Karen K. Klein  
Karen K. Klein  
United States Magistrate Judge

**Notice of Right to Object**

Pursuant to Federal Rule of Civil Procedure 72(b)(2) and Local Rule 72.1 (D)(3), any party may object to this recommendation within fourteen (14) days after being served with a copy.