

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

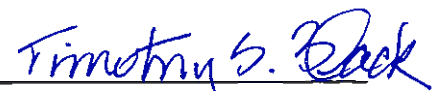
ERICK RODRIGUEZ-RUIZ, : Case No. 1:12-cv-674
: :
Petitioner, : Judge Timothy S. Black
: :
vs. : :
: :
JANET NAPOLITANO, Secretary of : :
Department of Homeland Security, *et al.*, : :
: :
Respondents. :

**ORDER THAT RESPONDENTS' MOTION TO DISMISS (DOC. 7) IS
GRANTED AND THIS CASE IS DISMISSED AND CLOSED**

This action is before the Court on Respondents' motion to dismiss for lack of jurisdiction (Doc. 7) and Petitioner's response (Doc. 8). Respondents move that the petition be dismissed as moot because Petitioner is no longer detained pursuant to the automatic stay provision that is the subject of all of Petitioner's claims. (Doc. 7). Petitioner notes in his response that all references to the denial of his Cancellation of Removal claim in Respondents' motion to dismiss have no bearing on the outcome of this case, but does not oppose the dismissal of his petition. (Doc 8). Accordingly, based on the foregoing, the Court **GRANTS** Respondents' motion to dismiss (Doc. 7), and this case is **DISMISSED and CLOSED**.

IT IS SO ORDERED.

Date: 10/23/12


Timothy S. Black
United States District Judge