

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

M. AFIF BAKIR,	:	
Petitioner,	:	
	:	
v.	:	CIVIL NO. 12-271
	:	
ERIC HOLDER, et al.,	:	
Respondents.	:	

DECISION

On February 10, 2011, an Immigration Judge ordered Petitioner M. Afif Bakir (a Tunisian citizen) to be deported from the United States. (*Doc. No. 3-1 at 2.*) On January 17, 2012, Mr. Bakir filed the instant Petition for Writ of Habeas Corpus, alleging he had been detained longer than the presumptively reasonable six-month removal period. (*Doc. No. 1.*) See 28 U.S.C. § 2241; Zadvydas v. Davis, 533 U.S. 678 (2001); Clark v. Martinez, 543 U.S. 371 (2005). He sought immediate release from custody, an injunction prohibiting Respondents from unlawfully detaining him, and fees and costs. (*Id. at 4.*)

The Government has informed me that Petitioner was removed to Tunisia on February 7, 2012, thus rendering his Petition moot. (*Doc. Nos. 3 at 5; 3-1 at 5.*) See Sanchez v. Attorney Gen., U.S., 146 F. App'x 547, 549 (3d Cir. 2005) (“In his habeas petition, [Petitioner] sought release from detention. He has achieved that result.”). Accordingly, I will deny his Petition. See Fed. R. Civ. P. 12(b)(1). Because Petitioner is not a “prevailing party,” he is not entitled to fees and costs. See 28 U.S.C. § 2412(a)(1). A separate Order follows.

/s/ Paul S. Diamond

Paul S. Diamond, J.