

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

REGINALD JEAN-GUERRIER,	:	
	:	
Petitioner	:	
	:	CIVIL NO. 1:CV-17-0438
v.	:	
	:	(Judge Caldwell)
CRAIG A. LOWE,	:	
	:	
Respondent	:	

O R D E R

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

On March 17, 2017, Reginald Jean-Guerrier, a native of Haiti, filed the instant *pro se* petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 while in the custody of the United States Department of Homeland Security (DHS), Bureau of Immigration and Customs Enforcement (ICE) at the York County Correctional Facility. (ECF No. 1, Pet.) In his Petition, Jean-Guerrier challenged his continued mandatory detention pursuant to section 236(c) of the Immigration and Nationality Act pending his removal and sought his immediate release. (*Id.*)

Presently before the court is the Respondent's Suggestion of Mootness (ECF No. 10) based on Jean-Guerrier's June 20, 2017, removal from the United States. As Jean-Guerrier is no longer in ICE custody, it is impossible for the court to grant him the relief requested: an individualized bond hearing or his release from ICE custody. Therefore, the court will dismiss the petition for writ of habeas corpus as moot. See *Gayle v. Warden Monmouth Cty. Corr. Inst.*, 838 F.3d 297, 303 (3d Cir. 2016) (release from ICE

custody moots habeas petition addressing only the detention issue); *see also Vasquez v. Aviles*, 639 F. App'x 898, 901 (3d Cir. 2016) (nonprecedential)(the district court “correctly held that his petition was moot insofar as it challenged the legality and length of his detention, for upon his removal his petition no longer presented a justiciable case or controversy.”)

AND NOW, this 11th day of July, 2017, it is hereby ordered that:

1. The petition for writ of habeas corpus (ECF No. 1) is dismissed as moot.
2. The Clerk of Court is directed to close this file.

/s/ William W. Caldwell
William W. Caldwell
United States District Judge