

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

DAVID WEKESA,	)	
Petitioner,	)	
	)	
vs.	)	No. 3:22-CV-2253-K-BH
	)	
WARDEN, PRAIRIELAND DETENTION	)	
CENTER, and ICE,	)	
Respondents.	)	

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the Court is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court. For the reasons stated in the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, the petitioner's *Writ of Habeas Corpus*, filed October 6, 2022 (doc. 3), is **DISMISSED** as moot, and the *Motion for a Temporary Restraining Order*, filed October 6, 2022 (doc. 4), is **DENIED** as moot.

A certificate of appealability (COA) is not required for a federal detainee to appeal the denial of relief under 28 U.S.C. § 2241. *See Padilla v. United States*, 416 F. 424, 425 (5th Cir. 2005). If the petitioner files a notice of appeal, he must pay the

\$505.00 appellate filing fee or submit a motion to proceed *in forma pauperis* and a properly signed certificate of inmate trust account.

SO ORDERED

Signed May 17<sup>th</sup>, 2023.

A handwritten signature in cursive script that reads "Ed Kinkeade".

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ED KINKEADE  
UNITED STATES DISTRICT JUDGE