

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

ALEKSANDR PANKOV, A071281163,

Petitioner,

v.

ACTION NO. 2:20-cv-626

ICE/DHS,

Respondent.

FINAL ORDER

Before the Court is a petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2241 and the Respondent's motion to dismiss. ECF Nos. 1 and 6. Petitioner is seeking relief from detention pending his deportation and cancellation of his removal order to his country of citizenship, Kyrgyzstan.

The matter was referred for disposition to a United States Magistrate Judge pursuant to 28 U.S.C. §§ 636(b)(1)(B)-(C), Federal Rule of Civil Procedure 72(b), Local Civil Rule 72, and the April 2, 2002 Standing Order on Assignment of Certain Matters to United States Magistrate Judges. In a Report and Recommendation entered on June 22, 2021, the Magistrate Judge recommended the motion to dismiss be granted, and the petition be denied and dismissed as moot.¹ ECF No. 11. The parties were advised of their right to file written objections to the Report and Recommendation. Neither the Petitioner nor the Respondent filed objections with the Court.²

¹ Petitioner was released from detention and was in fact removed from the United States to Kyrgyzstan on February 9, 2021. ECF No. 7-1 at 2.

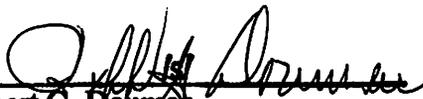
² The Report and Recommendation mailed to Petitioner on June 22, 2021 was returned by the postal service as "not deliverable as addressed" and "unable to forward." ECF No. 12.

Having reviewed the record and having heard no objection, the Court agrees with the Report and Recommendation on the grounds stated by the Magistrate Judge and **ADOPTS** and **APPROVES** the Report and Recommendation, ECF No. 11, in its entirety as the Court's own opinion. Accordingly, the Respondent's motion to dismiss, ECF No. 6, is **GRANTED**, and the Petition, ECF No. 1, is **DENIED** and **DISMISSED as moot**. It is **ORDERED** that judgment be entered in favor of the Respondent.

The Petitioner is hereby notified that he may appeal from the judgment entered pursuant to this Final Order by filing a written notice of appeal with the Clerk of the Court at the Walter E. Hoffman United States Courthouse, 600 Granby Street, Norfolk, Virginia 23510, within thirty (30) days from the date judgment is entered. Because the Petitioner has failed to demonstrate a substantial showing of the denial of a constitutional right pursuant to 28 U.S.C. § 2253(c) and Federal Rule of Appellate Procedure 22(b)(1), the Court declines to issue a certificate of appealability. See Miller-El v. Cockrell, 537 U.S. 322, 335–36 (2003).

The Clerk is **DIRECTED** to forward a copy of this Order to the Petitioner and counsel of record for the Respondent.

It is so **ORDERED**.



Robert G. Doumar
Senior United States District Judge
United States District Judge

Norfolk, Virginia
September 7, 2021