

The Honorable Ricardo S. Martinez  
The Honorable Brian A. Tsuchida

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

YONG GUO,

Petitioner,

V.

MERRICK GARLAND, Attorney General; ALEJANDRO MAYORKAS, Secretary of Homeland Security; NATALIE ASHER, Seattle Field Office Director, U.S. Immigration and Customs Enforcement; WARDEN of Immigration Detention Facility; and the U.S. Immigration and Customs Enforcement,

## Respondents.

No. 2:21-cv-00942-RSM-BAT

JOINT STIPULATION AND ORDER  
DISMISSING HABEAS PETITION

**NOTE ON MOTION CALENDAR:  
September 8, 2021.**

MERRICK GARLAND, Attorney General; ALEJANDRO MAYORKAS, Secretary of Homeland Security; NATALIE ASHER, Seattle Field Office Director, U.S. Immigration and Customs Enforcement; WARDEN of Immigration Detention Facility; and the U.S. Immigration and Customs Enforcement,

## Respondents.

COMES NOW Respondents, by and through their counsel, Tessa M. Gorman, Acting United States Attorney for the Western District of Washington, and Katie Fairchild, Assistant United States Attorney for said District, and Petitioner, by and through his counsel Assistant Federal Public Defender Sara Brin, and hereby jointly stipulate and agree as follows:

WHEREAS on July 15, 2021, Petitioner filed a habeas petition challenging his continued immigration detention. Dkt. No. 1.

WHEREAS on August 20, 2021, Respondents filed a Motion to Dismiss. Dkt No. 8.

JOINT STIPULATION AND ORDER  
DISMISSING HABEAS PETITION  
2:21-cv-00942-RSM-BAT - 1

UNITED STATES ATTORNEY  
700 STEWART STREET, SUITE 5220  
SEATTLE, WASHINGTON 98101-1271  
(206) 553-7970

1        WHEREAS on August 12, 2021, Petitioner was removed from the United States and  
2 released from custody. *See* Dkt. No. 9, Fairchild Decl., ¶ 2, Ex. A.

3        WHEREAS the parties agree that Petitioner's release renders the habeas petition moot.  
4 *See Abdala v. Immigration and Naturalization Service*, 488 F.3d 1061, 1065 (9th Cir. 2007).

5        WHEREAS the parties agree that this action should be dismissed as moot without fees  
6 or costs to either party.

7        WHEREAS the parties agree that the pending Motion to Dismiss should be denied as  
8 moot.

9        NOW THEREFORE, the parties, through their respective counsel of record, do hereby  
10 stipulate and agree, and respectfully request, that the Court make and enter the following order:

11        1. Petitioner's habeas petition is hereby denied and dismissed as moot without fees or  
12 costs to either party.  
13        2. Respondents' Motion to Dismiss is denied as moot.

14        SO STIPULATED.

15        DATED this 8th day of September, 2021.

16        TESSA M. GORMAN  
17        Acting United States Attorney

18  
19        *s/ Katie D. Fairchild*  
20        KATIE D. FAIRCHILD WSBA #47712  
21        Assistant United States Attorney  
22        700 Stewart Street, Suite 5220  
23        Seattle, WA 98101-1271  
24        Telephone: (206) 553-7970  
25        Fax: (206) 553-4067  
26        E-mail: [katie.fairchild@usdoj.gov](mailto:katie.fairchild@usdoj.gov)

27        Attorneys for Respondents

28        //

//

JOINT STIPULATION AND ORDER  
DISMISSING HABEAS PETITION  
2:21-cv-00942-RSM-BAT - 2

UNITED STATES ATTORNEY  
700 STEWART STREET, SUITE 5220  
SEATTLE, WASHINGTON 98101-1271  
(206) 553-7970

1 SO STIPULATED.

2 DATED this 8th day of September, 2021.

3  
4  
5 *s/Sara Brin*  
6 SARA BRIN, WSBA # 52476  
7 Assistant Federal Public Defender  
8 Federal Public Defender's Office  
9 1601 Fifth Avenue, Suite 700  
Seattle, Washington 98101  
Telephone: (206) 553-1100  
Email: [sara\\_brin@fd.org](mailto:sara_brin@fd.org)

10 Attorney for Petitioner

## **ORDER**

IT IS SO ORDERED.

DATED this 8<sup>th</sup> day of September, 2021.



**RICARDO S. MARTINEZ**  
**CHIEF UNITED STATES DISTRICT JUDGE**