IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

JOSE NAPOLEON RODRIGUEZ RAMIREZ, **Petitioner,**	:	
v.	:	**Case No. 4:26-cv-774-CDL-AGH** **28 U.S.C. § 2241**
WARDEN, STEWART DETENTION CENTER,	:	
Respondent.	:	

RESPONDENT'S MOTION TO DISMISS

On May 5, 2026, the Court received Petitioner's application for habeas corpus relief under 28 U.S.C. § 2241. ECF No. 1. On May 5, 2026, the Court issued an Order directing Respondent to provide Petitioner with an immigration bond hearing under 8 U.S.C. § 1226(a)(2) within seven (7) days, or to file an appropriate motion demonstrating why the Court's prior rulings in *J.A.M. v. Streeval* and *P.R.S. v. Streeval* do not control this case. ECF No. 3. Following an extension of time (ECF Nos. 4, 5), Respondent's deadline to respond was set for May 19, 2026. Respondent now moves to dismiss the Petition because Petitioner was removed from the United States on May 15, 2026. Ex. A (Form I-205).

ARGUMENT

The Court lacks subject-matter jurisdiction because Petitioner's removal renders this case moot. Under Article III, Section 2 of the United States Constitution, federal judicial proceedings require an active case or controversy. *Spencer v. Kemna*, 523 U.S. 1, 7 (1998). A petitioner must suffer an actual injury that a favorable judicial decision can redress. *Lewis v. Cont'l Bank Corp.*, 494 U.S. 472, 477 (1990).

If subsequent events deprive the court of the ability to provide meaningful relief, the case is moot and must be dismissed. *Al Najjar v. Ashcroft*, 273 F.3d 1330, 1336 (11th Cir. 2001); *De La Teja v. United States*, 321 F.3d 1357, 1362 (11th Cir. 2003). Specifically, once an immigration petitioner is removed from the United States and leaves the Respondent's custody, disputes regarding their detention become moot. *Soliman v. United States*, 296 F.3d 1237, 1243 (11th Cir. 2002).

Here, Petitioner sought release from immigration custody. ECF No. 1. Because DHS removed Petitioner from the United States on May 15, 2026, he is no longer in custody, and the Court can no longer grant any meaningful relief. Ex. A. Accordingly, the Petition is moot and must be dismissed.

CONCLUSION

For the foregoing reasons, Respondent requests that Petitioner's application for habeas relief be dismissed.

Respectfully submitted this 1st day of April, 2026.

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UNITED STATES ATTORNEY

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*Acting Under Authority Conferred by
28 U.S.C. § 543

CERTIFICATE OF SERVICE

This is to certify that I have this date filed the Motion to Dismiss with the Clerk of the United States District Court using the CM/ECF system, which will send notification of such filing to the following:

N/A

I further certify that I have this date mailed by United States Postal Service the document and a copy of the Notice of Electronic Filing to the following non-CM/ECF participants:

Jose Napoleon Rodriguez Ramirez
A# [redacted]
Stewart Detention Center
P.O. Box 248
Lumpkin, GA 31815

This 18th day of May, 2026.

BY: *s/ Andressa Bryant*
ANDRESSA BRYANT
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