

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
MISSISSIPPI, WESTERN DIVISION

Johny Ariel Batiz Ruiz v. Melissa Harper, ICE Area Field Director, et
al.

Batiz Ruiz · No. 5:26-CV-139-DCB-BWR · Decided May 4, 2026

SUMMARY

The United States District Court for the Southern District of Mississippi adopted a magistrate judge’s Report and Recommendation in a 28 U.S.C. § 2241 habeas action challenging the duration of an immigration detention. Because the petitioner had been removed from the United States, the court concluded that the petition was moot and dismissed it without prejudice.

CASE DETAILS

COURT	United States District Court for the Southern District of Mississippi, Western Division
JURISDICTION	United States District Court for the Southern District of Mississippi, Western Division
DECIDED	May 4, 2026
DOCKET	5:26-CV-139-DCB-BWR
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's report and recommendation in a 28 U.S.C. § 2241 habeas petition challenging the duration of immigration detention. No objections were filed, and the district court adopted the report and recommendation and dismissed the petition without prejudice as moot.
STANDARD OF REVIEW	When no objections are made to a magistrate judge's report and recommendation, the district court applies a clearly erroneous, abuse of discretion, and contrary to law standard rather than conducting de novo review.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Johny Ariel Batiz Ruiz v. Melissa Harper, ICE Area Field Director, et al.

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the petitioner's challenge to the duration of detention during removal proceedings became moot after his removal from the United States.
2. What standard of review applies when no party objects to a magistrate judge's report and recommendation.

HOLDINGS

1. A § 2241 challenge to the duration of detention pending removal becomes moot when the petitioner has been removed from the United States.
2. When no party objects to a magistrate judge's report and recommendation, the district court need not conduct de novo review and instead reviews for clear error, abuse of discretion, and contrariness to law.

FACTUAL BACKGROUND

Batiz Ruiz, a Honduran citizen, was detained during removal proceedings and challenged the duration of that detention under 28 U.S.C. § 2241. During the proceedings, he was removed from the United States, eliminating the continuing controversy concerning detention pending removal. The docket also reflected that the report and recommendation was returned as undeliverable, and the petitioner filed no objections within the time allowed.

PROCEDURAL HISTORY

Batiz Ruiz filed a § 2241 petition challenging the duration of his detention during removal proceedings. Magistrate Judge Bradley W. Rath recommended dismissal as moot after the petitioner was removed from the United States. The petitioner did not object by the deadline, and the district court adopted the report and recommendation in full.

DISPOSITION

dismissed

CASES CITED

- United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir. 1989)
- Francis v. Lynch, 622 F. App'x 455, 455-456 (5th Cir. 2015)
- John v. U.S. Immigration and Customs Enforcement, No. 3:25-CV-1844-B-BW, 2026 WL 569043 (N.D. Tex. Feb. 6, 2026)

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