

**UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA**

Yuridiana Cardenas Hidalgo v. Eliseo Ricolcol

No. 5:25-cv-362-WLH-RAO (C.D. Cal. Aug. 4, 2025) · No. 5:25-cv-362-WLH-RAO · Decided August 4, 2025

OPINION

Yuridiana Cardenas Hidalgo v. Eliseo Ricolcol

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 CENTRAL DISTRICT OF CALIFORNIA

10 11 YURIDIANA CARDENAS Case No. 5:25-cv-362-WLH-RAO

HIDALGO,

12 Petitioner, 13

v. ORDER SUMMARILY DISMISSING

14 PETITION

ELISEO RICOLCOL, Warden, 15 Respondent. 16 17 On February 7, 2025, Petitioner Yuridiana Cardenas Hidalgo (“Petitioner”)— 18 a then-federal inmate housed at FCI Victorville Medium I in Victorville, California, 19 and proceeding pro se—filed a petition for writ of habeas corpus pursuant to 20 U.S.C. § 2241 (“Petition”). Dkt. No. 1 (“Pet.”). Petitioner argues that she is eligible 21 for supervised release pursuant to the Federal First Offenders Act (FFOA) and 22 requests that this Court order her immediate release.1 Pet. at 1. 23 Respondent Eliseo Ricolcol filed a motion to dismiss on March 21, 2025, 24 arguing that the FFOA does not apply to Petitioner and requesting that the Petition 25 be dismissed or, alternatively, transferred to the appropriate sentencing court as a

26 Section 2255 motion. Dkt. No. 7 at 3, 9–10.

27 1 The Court utilizes the pagination assigned by the CM/ECF system when citing to 28 the Petition. 1 The Court issued its Report and Recommendation (“Report”) on May 12, 2 2025, recommending that this action be dismissed for failure to prosecute and abide 3 by the Court’s orders. Dkt. No. 10. On May 20, 2025, the Court’s notice to Petitioner 4 of the Report was returned as undeliverable. Dkt. No. 11. 5 The Court independently conducted a public records check of BOP’s inmate 6 locator which indicates that Petitioner was released from BOP custody on May 30, 7 2025. See Find an Inmate, Fed. Bureau of Prisons (June 4, 2025), 8 <https://www.bop.gov/inmateloc> [<https://perma.cc/8LYU-CZBU>]. For the following 9 reasons, the Court dismisses the Petition as moot. 10 A federal court’s jurisdiction is limited to actual cases or live controversies. 11 United States v. Yepez, 108 F.4th 1093, 1099 (9th Cir. 2024) (citing Lewis v.

Cont'l 12 Bank Corp., 494 U.S. 472, 477 (1990)). This constitutional limitation to cases or 13 controversies necessarily requires that parties to the litigation have a personal stake 14 in the outcome at all stages of judicial proceedings. Genesis Healthcare Corp. v. 15 Symczyk, 569 U.S. 66, 71–72 (2013). Because federal courts are prohibited from 16 adjudicating matters that do not affect the rights of present litigants, a suit is rendered 17 moot when there exists no live issue for the court to grant relief upon. Chafin v. 18 Chafin, 568 U.S. 165, 172 (2013) (highlighting that Article III of the U.S. 19 Constitution forbids the issuance of advisory opinions where no live case or 20 controversy exists). When a litigant seeks action from an administrative agency, 21 performance by the agency of the relief sought is sufficient to render the claim moot 22 and absolve the federal court of jurisdiction to adjudicate the suit. Rosemere 23 Neighborhood Ass'n v. EPA, 581 F.3d 1169, 1173 (9th Cir. 2009) (quoting Pub. Util. 24 Comm'n v. FERC, 100 F.3d 1451, 1458 (9th Cir. 1996)). 25 In bringing this action, Petitioner sought immediate release from BOP 26 custody. Because she has obtained the relief she sought by initiating this action— 27 namely, release from BOP custody—the matter no longer involves a “live 28 controversy” and is therefore moot. Peneueta v. Ricolcol, No. 2:23-cv-6361-PA-JC, 1 || 2024 WL 2884218, at *5 (C.D. Cal. May 21, 2024) (citing Burnett v. Lampert, 432 2 || F.3d 996, 1000-01 (9th Cir. 2005)). 3 For the foregoing reasons, the Petition is dismissed without prejudice. All 4 || pending motions are denied as moot. 5

6 || DATED: 8/4/2025

7 Nag

HON. WESLEY L. HSU

8 UNITED STATES DISTRICT JUDGE

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