

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

J.I.N.D. v. Warden, Stewart Detention Center

J.I.N.D. · No. 4:25-cv-334-CDL-CHW · Decided January 12, 2026

SUMMARY

The magistrate judge recommends dismissing as moot a 28 U.S.C. § 2241 habeas petition filed by J.I.N.D. because the petitioner was removed from the United States and was no longer in the respondent’s custody. The recommendation further proposes granting the respondent’s second motion to dismiss and terminating the first motion as moot.

CASE DETAILS

COURT	United States District Court for the Middle District of Georgia, Columbus Division
WRITING FOR THE COURT	Charles H. Weigle
JURISDICTION	United States District Court for the Middle District of Georgia, Columbus Division
DECIDED	January 12, 2026
DOCKET	4:25-cv-334-CDL-CHW
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner sought habeas corpus relief under 28 U.S.C. § 2241 and release from custody. Respondent moved to dismiss, reporting that Petitioner had been removed from the United States and was no longer in Respondent's custody. The magistrate judge recommended granting the second motion to dismiss, terminating the first motion as moot, and dismissing the petition as moot.
STANDARD OF REVIEW	The district judge must conduct a de novo determination of portions of the recommendation to which a party objects; unobjected-to portions may be reviewed for clear error. On appeal, failure to object may waive challenges to the district court's order based on unobjected-to factual and legal conclusions, subject to plain-error review in the interests of justice.
PRECEDENTIAL VALUE	nonprecedential

PARTIES

J.I.N.D. v. Warden, Stewart Detention Center

TOPICS

federal habeas corpus

immigration detention

removal proceedings

subject matter jurisdiction

motions to dismiss

PRACTICE AREAS

immigration law

federal habeas corpus

civil procedure

constitutional law

QUESTIONS PRESENTED

1. Whether Petitioner's § 2241 habeas petition became moot after Petitioner was removed from the United States and was no longer in Respondent's custody.
2. Whether Respondent's second motion to dismiss should be granted and the first motion to dismiss terminated as moot.

HOLDINGS

1. The petition is moot because Petitioner's removal from the United States and loss of custody deprived the Court of the ability to provide the requested meaningful relief of a writ of habeas corpus and release from custody.

KEY QUOTATIONS

“Article III of the Constitution limits the jurisdiction of federal courts to the consideration of ‘Cases’ and ‘Controversies.’” (at 1)

“Therefore, ‘[i]f events that occur subsequent to the filing of a lawsuit or an appeal deprive the court of the ability to give the plaintiff or appellant meaningful relief, then the case is moot and must be dismissed.’” (at 1)

“Because the Court can no longer give Petitioner any meaningful relief, the case is moot and “dismissal is required because mootness is jurisdictional.”” (at 2)

FACTUAL BACKGROUND

Petitioner sought a writ of habeas corpus and release from custody at the Stewart Detention Center. Respondent notified the Court that Petitioner had been removed from the United States on December 17, 2025, and submitted a declaration stating that Petitioner was no longer in Respondent's custody. Because the requested release could no longer provide meaningful relief, the magistrate judge concluded that the petition was moot.

PROCEDURAL HISTORY

Petitioner filed an application for habeas corpus relief. Respondent filed an initial motion to dismiss and, after the Court ordered supplementation concerning Petitioner's status, filed a second motion to dismiss supported by

a declaration stating that Petitioner had been removed on December 17, 2025. The magistrate judge issued a recommendation that the second motion be granted, the first motion be terminated as moot, and the habeas petition be dismissed as moot, subject to objections and de novo review by the district judge of properly objected-to portions.

DISPOSITION

other

CASES CITED

- Soliman v. United States, 296 F.3d 1237, 1242 (11th Cir. 2002)
- Al Najjar v. Ashcroft, 273 F.3d 1330, 1336 (11th Cir. 2001)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION J.I.N.D.,: Petitioner,: v.: Case No. 4:25-cv-334-CDL-CHW: 28 U.S.C. §
2241 Warden, STEWART DETENTION: CENTER,: Respondent.:
_____ RECOMMENDATION OF DISMISSAL Pending before
the Court is Petitioner’s application for habeas corpus relief (Doc.

1), and Respondent’s motions to dismiss (Docs. 6, 12). On January 9, 2026, Respondent filed the second motion to dismiss in response (Doc. 12) in response to the Court’s order to supplement the record regarding Petitioner’s status. (Doc. 11).

In that motion, Respondent notified the Court that Petitioner had been removed from the United States, submitting a declaration explaining that Petitioner was removed from the United States on December 17, 2025. (Doc. 7-1). Due to Petitioner’s removal, Respondent moves to dismiss the habeas petition as moot. It is RECOMMENDED that Respondent’s second motion to dismiss (Doc.

12) be GRANTED, the first motion to dismiss (Doc. 6) be TERMINATED as moot, and Petitioner’s application for habeas corpus relief (Doc. 1) be DISMISSED as moot. “Article III of the Constitution limits the jurisdiction of federal courts to the consideration of ‘Cases’ and ‘Controversies.’” Soliman v. United States, 296 F.3d 1237, 1242 (11th Cir. 2002) (citing U.S. CONST. art. III, § 2). “The doctrine of mootness derives directly from the case or controversy limitation because an action that is moot cannot be characterized as an active case or controversy.” Id. (quotations and citation omitted). “[P]ut another way, a case is moot when it no longer presents a live controversy with respect to which the court can give meaningful relief.” Id. (quotations and citations omitted). “Therefore, ‘[i]f events that occur subsequent to the filing of a lawsuit or an appeal deprive the court of the ability to give the plaintiff or appellant meaningful relief, then the

case is moot and must be dismissed.” Id. (quoting *Al Najjar v. Ashcroft*, 273 F.3d 1330, 1336 (11th Cir.

2001)). Here, Petitioner sought an order granting him a writ of habeas corpus and release from custody. Petitioner has been removed from the country and, according to Respondent, is no longer in Respondent’s custody.

Because the Court can no longer give Petitioner any meaningful relief, the case is moot and “dismissal is required because mootness is jurisdictional.” *Al Najjar*, 273 F.3d at 1336 (citations omitted). CONCLUSION For the reasons discussed herein, it is RECOMMENDED that Respondent’s second motion to dismiss (Doc. 12) be GRANTED, that Respondent’s first motion to dismiss (Doc.

6) be TERMINATED as moot, and Petitioner’s application for habeas corpus relief (Doc. 1) be DISMISSED as moot. OBJECTIONS Pursuant to 28 U.S.C. § 636(b)(1), the parties may serve and file written objections to this Recommendation, or seek an extension of time to file objections, WITHIN FOURTEEN (14) DAYS after being served with a copy thereof. Any objection is limited in length to TWENTY (20) PAGES.

See M.D. Ga. L.R. 7.4. The District Judge shall make a de novo determination of those portions of the Recommendation to which objection is made. All other portions of the Recommendation may be reviewed for clear error.

The parties are further notified that, pursuant to Eleventh Circuit Rule 3-1, “[a] party failing to object to a magistrate judge’s findings or recommendations contained in a report and recommendation in accordance with the provisions of 28 U.S.C. § 636(b)(1) waives the right to challenge on appeal the district court’s order based on unobjected-to factual and legal conclusions if the party was informed of the time period for objecting and the consequences on appeal for failing to object.

In the absence of a proper objection, however, the court may review on appeal for plain error if necessary in the interests of justice.” SO RECOMMENDED, this 12th day of January, 2026. s/ Charles H. Weigle_____ Charles H. Weigle United States Magistrate Judge