

**UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA**

Abhishek Rashmi Shah v. Don Jones, et al.

Shah · No. CIV-25-1238-D · Decided January 8, 2026

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA ABHISHEK RASHMI SHAH,)) Petitioner,)) v.) Case No. CIV-25-1238-D) DON JONES, et al.,)) Respondents.) ORDER Petitioner Abishek Rashmi Shah filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241. [Doc. No. 1].

The matter was referred to United States Magistrate Judge Suzanne Mitchell for initial proceedings in accordance with 28 U.S.C § 636(b)(1)(B) and (C). [Doc. No. 4]. On November 18, 2025, Judge Mitchell ordered Respondents to file a response to the Petition. [Doc. No. 8].

On December 4, 2025, Respondents filed a notice in which they informed the Court that Petitioner had been deported to India on November 17, 2025. [Doc. No. 12]. On December 16, 2025, Judge Mitchell issued a Report and Recommendation (“the R and R”) recommending the Court dismiss as moot the Petition because the Petitioner was no longer in the custody of U.S. Immigration and Customs Enforcement.

The case file shows no timely objection to the R and R nor request for an extension of time, even though Petitioner was expressly informed of his right to object, the procedure for doing so, and the consequences of failing to object.

Therefore, the Court finds that Petitioner has waived further review of all issues addressed in the R and R. See *Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); see also *United States v. 2121 East 30th Street*, 73 F.3d 1057, 1060 (10th Cir. 1996).

For the reasons explained by Judge Mitchell in the R and R, the Court finds this action should be dismissed as moot. IT IS THEREFORE ORDERED that the R and R [Doc. No. 14] is ADOPTED in its entirety. This action is DISMISSED AS MOOT. A separate judgment of dismissal shall be entered. IT IS SO ORDERED this 8th day of January, 2026. Ay 0. OPE TIMOTHY D. DeGIUSTI
Chief United States District Judge