

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 13-2391

OLUDARE OGUNDE,

Plaintiff - Appellant,

v.

ERIC H. HOLDER, JR.; JANET NAPOLITANO; RON ROSENBERG,
Director, Arlington Asylum Office,

Defendants - Appellees.

Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. James C. Cacheris, Senior District Judge. (1:13-cv-00484-JCC-IDD)

Submitted: March 13, 2014

Decided: March 28, 2014

Before NIEMEYER and SHEDD, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Oludare Ogunde, Appellant Pro Se. David Moskowitz, Assistant United States Attorney, Alexandria, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Oludare Ogunde appeals a district court order granting the Attorney General's motion to dismiss and dismissing his amended complaint seeking an order declaring that the immigration detainer placed upon him by the Department of Homeland Security ("DHS") was unlawful. At the time Ogunde filed the amended complaint, he was in the custody of the Virginia Department of Corrections. He has since been transferred to the custody of Immigration and Customs Enforcement of the DHS. Accordingly, because the detainer is no longer in effect, the appeal is moot. See Central States, Se. & Sw. Areas Pension Fund v. Central Transp., Inc., 841 F.2d 92, 93 (4th Cir. 1988); see also Tucker v. Phyfer, 819 F.2d 1030, 1034 n.3 (11th Cir. 1987) ("[t]he mootness doctrine usually requires a court to dismiss an action in which, because of events occurring after the plaintiff filed the suit, any relief the court might grant would be of no utility to the plaintiff").

We dismiss the appeal as moot. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before this court and argument would not aid the decisional process.

DISMISSED