

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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ADEBOWALE SHEBA,

Petitioner,

v.

CHARLES GREEN,

Respondent.

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Civil Action No. 17-676 (JMV)

**OPINION**

**APPEARANCES:**

ADEBOWALE SHEBA  
Essex County Correctional Facility  
354 Doremus Ave.  
Newark, NJ 07105  
Petitioner, *pro se*

MARK CHRISTOPHER ORLOWSKI  
Office of the U.S. Attorney  
District of New Jersey  
970 Broad Street, Suite 700  
Newark, NJ 07101  
On behalf of Respondent

**VAZQUEZ**, United States District Judge

On January 31, 2017, Petitioner Adebowale Sheba filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 (ECF No. 1), challenging his prolonged detention since August 15, 2016, by U.S. Immigration and Customs Enforcement (“ICE”). (ECF No. 1 at 2.) This Court ordered Respondent to answer the petition. (ECF No. 2.) Respondent submitted a Release Notification dated May 8, 2017, showing that ICE approved Petitioner’s release from custody pending removal. (ECF No. 6-1.) A search of ICE’s detainee locator database indicates that

Petitioner is no longer in custody.<sup>1</sup> Respondent contends the habeas petition is moot. (*Id.*)

A habeas petition “generally becomes moot when [a petitioner] is released from custody” because there is no longer “an actual injury traceable to the defendant and likely to be redressed by a favorable judicial decision.” *Vasquez v. Aviles*, 639 F. App’x 898, 902 (3d Cir. 2016) (quoting *DeFoy v. McCullough*, 393 F.3d 439, 442 (3d Cir. 2005)). The present petition no longer presents a case or controversy under Article III, § 2 of the United States Constitution because Petitioner is no longer detained by ICE. *See id.* (finding petition moot where there were no collateral consequences that could be addressed by success on the petition after removal) (citing *Abdala v. I.N.S.*, 488 F.3d 1061, 1064 (9th Cir. 2007)). Therefore, the petition is dismissed as moot.

An appropriate Order follows.

Date: May 10, 2017  
At Newark, New Jersey

s/ John Michael Vazquez  
JOHN MICHAEL VAZQUEZ  
United States District Judge

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<sup>1</sup> U.S. Immigration and Customs Enforcement Online Detainee Locator, available at <https://locator.ice.gov/odls/searchByAlienNumber.do>