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Attorneys for Petitioner

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Santos Maradiaga-Villalta,

Petitioner,

v.

Kristopher Kline, et al

Respondents.

No. 2:25-cv-00351-SMB-ASB

**PETITIONER'S MOTION TO
DISMISS**

Petitioner Santos Maradiaga-Villalta, through counsel, and pursuant to Fed. R. Civ. P. 41(a)(2), asks this Court to dismiss the First Amended Petition under 28 U.S.C. § 2241 for Writ of Habeas Corpus (Doc. 3). Petitioner's counsel has verified that on April 21, 2025, Mr. Maradiaga-Villalta was removed to Honduras and is no longer in Immigration and Customs Enforcement custody.

Petitioner obtained Respondent's position via email on April 22, 2025.

Respondent's counsel does not object to the dismissal of the above-captioned case. For the foregoing reasons, Petitioner respectfully requests that the Court enter an order pursuant to Fed. R. Civ. P. 41(a)(2) dismissing the instant matter.

1 DATED this 23rd of April, 2025

2
3 Respectfully submitted,

4 /s/ Gregory Fay

5 Gregory Fay, 035534

6
7 /s/ Laura Belous

8 Laura Belous, 028132

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CERTIFICATE OF SERVICE

I hereby certify that on the date below, I electronically transmitted the attached documents to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing on all CM/ECF registrants.

I hereby certify that on the date below, I served the attached document by first class mail on both Judge Susan Brnovich and Magistrate Judge Alison Bachus, United States District Court of Arizona, 401 West Washington Street, Phoenix, Arizona 85003-2118.

I further certify that on the date below, I served the attached document by first class mail on the following persons not registered in the CM/ECF system:

John E. Cantu, Field Office Director
Phoenix Field Office, U.S. Immigration and Customs Enforcement
2035 N. Central Avenue
Phoenix, AZ 85004

Kristopher Kline, Warden
Central Arizona Florence Correctional Complex
1100 Bowling Rd
Florence, AZ 85132

s/ Laura Belous
April 23, 2025.
Laura Belous