

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

AIDA IUSUBOVA,	:	
	:	
Petitioner,	:	
	:	Case No. 4:25-CV-91-CDL-AGH
v.	:	28 U.S.C. § 2241
	:	
WARDEN, STEWART DETENTION	:	
CENTER,	:	
	:	
Respondent.	:	

MOTION TO DISMISS

On March 14, 2025, the Court received Petitioner’s application for a writ of habeas corpus (“Petition”). ECF No. 1. On March 27, 2025, the Court ordered Respondent to file a comprehensive response within twenty-one days. ECF No. 3. On April 17, 2025, Respondent filed a response to the Petition. ECF No 4. Three days earlier, on April 14, 2025, the Court received another filing from Petitioner, which was initially docketed as a new habeas petition. *See A.I. v. Warden, Stewart Det. Ctr.*, No. 4:25-cv-CDL-AGH, Pet. (M.D. Ga. Apr. 14, 2025), ECF No. 1. On April 23, 2025, the Court consolidated the two cases, characterized Petitioner’s April 14, 2025 filing as a Brief in Support of her Petition, and ordered Respondent to file any response within 21 days. ECF No. 5. On May 14, 2025, Respondent filed a response to Petitioner’s Brief. ECF No. 6. On August 18, 2025, the Court ordered Respondent to provide a status update within twenty-one days. ECF No. 8. Petitioner was removed from the United States on or about August 22, 2025, and the Petition should consequently be dismissed as moot.

BACKGROUND

On or about August 22, 2025, the Department of Homeland Security (“DHS”), Immigration and Customs Enforcement (“ICE”) removed Petitioner from the United States. *See* Ex A, Form I-205, Warrant of Removal/Deportation.¹ Because Petitioner is no longer in Respondent’s custody, the Court lacks subject-matter jurisdiction over her claims. Accordingly, the Court should dismiss the Petition as moot.

The case-or-controversy requirement of Article III, section 2 of the United States Constitution subsists through all stages of federal judicial proceedings. *See Spencer v. Kemna*, 523 U.S. 1, 7 (1998). A petitioner “must have suffered, or be threatened with, an actual injury traceable to the defendant and likely to be redressed by a favorable judicial decision.” *Lewis v. Cont’l Bank Corp.*, 494 U.S. 472, 477 (1990). “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.” *Soliman v. United States*, 296 F.3d 1237, 1242 (11th Cir. 2002) (internal quotation marks and citation omitted). “Put another way, a case is moot when it no longer presents a live controversy with respect to which the court can grant meaningful relief.” *Fla. Ass’n of Rehab. Facilities, Inc. v. Fla. Dep’t of Health & Rehab. Servs.*, 225 F.3d 1208, 1217 (11th Cir. 2000) (internal quotation mark and citation omitted). Thus, “[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.” *Al Najjar v. Ashcroft*, 273 F.3d 1330, 1336 (11th Cir. 2001). “Indeed, dismissal is required because mootness is jurisdictional.” *Id.*; *see also De La Teja v. United States*, 321 F.3d 1357, 1362 (11th Cir. 2003). Once a petitioner has been

¹ The United States acknowledges the absence of the port, date, and manner of removal on Petitioner’s Form I-205. *See* Ex. A. The United States anticipates filing a supplement containing the missing information in the next seven days.

removed from the United States, the dispute regarding her detention is rendered moot and must be dismissed. *See Soliman*, 296 F.3d at 1243.

Here, Petitioner requested release from custody. Pet. 6, ECF No. 1. She was removed from the United States on or about August 22, 2025, and is no longer in Respondent's custody. Ex. A. Because Petitioner is not in Respondent's custody, the Court can no longer give Petitioner any meaningful relief regarding her detention. Accordingly, the Petition is moot and should be dismissed.

CONCLUSION

For the reasons stated herein, Respondent respectfully requests that the Court dismiss the Petition.

Respectfully submitted, this 5th day of September, 2025.

WILLIAM R. KEYES
UNITED STATES ATTORNEY


BY: */s/ Michael P. Morrill*
MICHAEL P. MORRILL
Assistant United States Attorney
Georgia Bar No. 545410
United States Attorney's Office
Middle District of Georgia
P. O. Box 2568
Columbus, Georgia 31902
Phone: (706) 649-7728
michael.morrill@usdoj.gov

CERTIFICATE OF SERVICE

This is to certify that I have this date filed the Respondent's Motion to Dismiss with the Clerk of the United States District Court using the CM/ECF system, which will send notification of such filing to the following:

N/A

I further certify that I have this date mailed by United States Postal Service the document and a copy of the Notice of Electronic Filing to the following non-CM/ECF participants:

Aida Iusubova
A# 
Stewart Detention Center
P.O. Box 248
Lumpkin, GA 31815

This 5th day of September, 2025.

BY: */s/ Michael P. Morrill*
MICHAEL P. MORRILL
Assistant United States Attorney