

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

REINALDO GONZALEZ-HERMES,

Petitioner,

Y.

IMMIGRATION AND CUSTOM'S ENFORCEMENT FIELD OFFICER.

Respondent.

CASE NO. 2:25-cv-00594-TMC-BAT

REPORT AND RECOMMENDATION

On March 28, 2025, Petitioner, an immigration detainee, filed a § 2241 habeas petition requesting the Court “to grant a bond review in this case and to release the [petitioner] upon conditions that are fair and just.” Dkt. 1 at 3. On April 17, 2025, Respondent filed a notice and declaration that Petitioner was removed to Venezuela on April 4, 2025 and that his habeas petition is therefore moot. Dkt. 6.

This Court may adjudicate only actual, ongoing cases or controversies. *Deakins v. Monaghan*, 484 U.S. 193, 199 (1988). “For a habeas petition to continue to present a live controversy after the petitioner’s release or deportation . . . there must be some remaining ‘collateral consequence’ that may be redressed by success on the petition.” *Abdala v. I.N.S.*, 488 F.3d 1061, 1064 (9th Cir. 2007). Because Petitioner requested the Court only order a bond

1 hearing and release his claim has been fully resolved by release from custody, and there is no
2 collateral consequence that could be redressed by the Court. Even if Petitioner found his way
3 back into the United States, the claim he raised in his habeas petition could not be redressed.

4 Accordingly, the Court recommends the matter be dismissed with prejudice.

5 **OBJECTIONS AND APPEAL**

6 This Report and Recommendation is not an appealable order. Therefore, a notice of
7 appeal seeking review in the Court of Appeals for the Ninth Circuit should not be filed until the
8 assigned District Judge enters a judgment in the case.

9 Objections, however, may be filed and served upon all parties no later than **May 1, 2025**.
10 The Clerk should note the matter for **May 2, 2025**, as ready for the District Judge's consideration
11 if no objection is filed. If objections are filed, any response is due within 14 days after being
12 served with the objections. A party filing an objection must note the matter for the Court's
13 consideration 14 days from the date the objection is filed and served. The matter will then be
14 ready for the Court's consideration on the date the response is due. The failure to timely object
15 may affect the right to appeal.

16 DATED this 17th day of April, 2025.

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19 BRIAN A. TSUCHIDA
20 United States Magistrate Judge
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