

1 TIMOTHY COURCHAIINE
 2 United States Attorney
 3 District of Arizona
 4 BROCK HEATHCOTTE
 5 Assistant U.S. Attorney
 6 Arizona State Bar No.014466
 7 Two Renaissance Square
 8 40 North Central Avenue, Suite 1800
 9 Phoenix, Arizona 85004-4449
 Telephone: (602) 514-7500
 Facsimile: (602) 514-7760
 Email: Brock.Heathcotte@usdoj.gov
Attorneys for the United States

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

12 Yoandy Carrodeguas Castillo,
 13
 14 **Petitioner,**

15 v.

16 Warden, Florence Detention Center;
 17 Director of Immigration and Customs
 18 Enforcement (ICE); Secretary of the
 Department of Homeland Security,

19 **Respondents.**

No. CV-25-02798-PHX-SHD-JFM

**RESPONSE TO PETITION FOR
 WRIT OF HABEAS CORPUS**

20 Respondents, by counsel, hereby respond to the Petition for Writ of Habeas
 21 Corpus (Doc. 1). Petitioner was removed from the United States on September 13, 2025.
 22 A copy of the I-205, Warrant of Removal/Deportation, is attached hereto as Exhibit 1. In
 23 light of Petitioner’s removal, the Petition for Writ of Habeas Corpus (Doc. 1) should be
 24 denied as moot.

25 **I. THE PETITION FOR WRIT OF HABEAS CORPUS IS MOOT.**

26 On April 25, 2025, Petitioner was detained by ICE subject to a final order of
 27 removal. On August 6, 2025, Petitioner filed a Petition for Writ of Habeas Corpus (Doc.
 28 1) challenging his immigration detention. The habeas petition asserted two causes of

1 action: (1) prolonged detention in violation of 8 U.S.C. § 1231; and (2) prolonged detention
2 in violation of the Constitution as interpreted in *Zadvydas v. Davis*, 533 U.S. 678 (2001).
3 Petitioner sought an order directing his immediate release from immigration detention on
4 an order of supervised release. Petitioner's removal from the United States moots his
5 habeas petition.

6 The Court may grant a writ of habeas corpus to a detainee who is "in custody in
7 violation of the Constitution or laws or treaties of the United States." 28 U.S.C.
8 § 2241(c)(3). 8 U.S.C. § 1231 governs the detention of aliens whose order of removal is
9 administratively final. "The case or controversy requirement of Article III admonishes
10 federal courts to avoid premature adjudication and to abstain from entangling themselves
11 in abstract disagreements." *U.S. West, Inc. v. Tristani*, 182 F.3d 1202, 1208 (10th Cir.
12 1999) (internal quotation marks and citations omitted). A court must dismiss a case as moot
13 if, at any point, it becomes certain either that "the allegedly wrongful behavior could not
14 reasonably be expected to recur," *Friends of the Earth Inc. v. Laidlaw Envtl. Ass'n (TOC),*
15 *Inc.*, 528 U.S. 167 (2000) (citation omitted), or that there is no effective relief remaining
16 for the court to provide. *See Calderon v. Moore*, 518 U.S. 149, 150 (1996). The case or
17 controversy requirement warrants a finding of mootness if: (1) the petitioner has received
18 the relief requested in the petition; or (2) the court is unable to provide the petitioner with
19 the relief sought. *Munoz v. Rowland*, 104 F.3d 1096, 1097-98 (9th Cir. 1997). A court does
20 not have subject matter jurisdiction to consider a habeas claim that is moot. *See, e.g.,*
21 *McCullough v. Graber*, 726 F.3d 1057, 1060 (9th Cir. 2013).

22 In this case, Petitioner sought release from detention, but he is no longer detained.
23 Petitioner's case is rendered moot because there is no case or controversy. *See Spencer v.*
24 *Kemna*, 523 U.S. 1 (1998) ("[M]ootness, however it may have come about, simply deprives
25 us of our power to act; there is nothing for us to remedy, even if we were disposed to do
26 so. We are not in the business of pronouncing that past actions which have no demonstrable
27 continuing effect were right or wrong."); *Abdala v. INS*, 488 F.3d 1061, 1064-65 (9th Cir.
28 2007) (discussing and collecting cases wherein a petitioner's release from detention or

1 parole or their removal rendered a habeas petition moot); *Sayyah v. Farquharson*, 382 F.3d
2 20, 22 n.1 (1st Cir. 2004) (holding that a “claim[of] indefinite detention . . . was mooted
3 by [petitioner’s] subsequent release.”); *Mensah-Yawson v. Lowe*, No. 3:16-cv-200, 2016
4 WL 3704878, *1 (M.D. Pa. July 12, 2016) (“[T]he habeas petition challenges petitioner’s
5 continued detention pending removal. Because petitioner has since been released from ICE
6 custody and removed from the United States, the petition no longer presents an existing
7 case or controversy. Accordingly, the instant habeas corpus petition will be dismissed as
8 moot.”).

9 **II. CONCLUSION.**

10 The only claim for relief made by Petitioner in the habeas petition was to be released
11 from ICE custody. On September 13, 2025, Petitioner was successfully removed from the
12 United States and is no longer in ICE custody. Because the habeas petition did not seek to
13 redress any collateral consequences arising from Petitioner’s deportation, Respondents
14 respectfully request that the Court deny the petition and dismiss it as moot.

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RESPECTFULLY SUBMITTED September 23, 2025.

TIMOTHY COURCHINE
United States Attorney
District of Arizona

/s/ Brock Heathcotte
BROCK HEATHCOTTE
Assistant United States Attorney
Attorneys for the United States

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CERTIFICATE OF SERVICE

I hereby certify that on September 23, 2025., I electronically transmitted the attached document to the Clerk’s Office using the CM/ECF System for filing and mailed the attached to the following individuals who are not registered participants of the CM/ECF System:

Yoandy Carrodegua Castillo



FLORENCE-AZ-INS-SPC
FLORENCE SERVICE PROCESSING CENTER
3250 N. Pinal PKWY
Florence, AZ 85132
Pro Se

s/Allison Tambs
United States Attorney’s Office