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Counsel for Petitioner

6 **UNITED STATES DISTRICT COURT**
7 **SOUTHERN DISTRICT OF CALIFORNIA**

8
9 **FELIPE HERIBERTO ARTICA CALIX**

10 Petitioner

11 v.

12 **CHRISTOPHER LAROSE**, Senior Warden,

13 Otay Mesa Detention Center, et al.,

14 Respondents
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Case No.:

Agency File No: **A221-489-593**

**PETITIONER'S UNOPPOSED
MOTION TO DISMISS
PETITION FOR WRIT OF
HABEAS CORPUS WITHOUT
PREJUDICE**

1 Petitioner Felipe Heriberto Artica Calix, through undersigned counsel, respectfully
2 moves this Court for an order dismissing the Petition for Writ of Habeas Corpus without
3 prejudice.

4 After filing the Petition, counsel identified material factual issues concerning Petitioner's
5 place of detention and related allegations bearing on jurisdiction and venue. In the interest of
6 candor to the Court and judicial economy, Petitioner seeks dismissal of this action without
7 prejudice so that any further relief may be pursued, if appropriate, through a corrected filing.

8 Counsel has conferred with Respondents' counsel, who do not oppose the relief requested
9 herein.

10 For the foregoing reasons, Petitioner respectfully requests that the Court dismiss this
11 action without prejudice.

12 Respectfully submitted,

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14 /s/ Alejandro J. Monsalve, Esq. CA SBN 324958

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