

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IDEHEN AMAS IGBINOBA,	§	
<i>Petitioner,</i>	§	
	§	
vs.	§	CIVIL ACTION H-06-1108
	§	
ALBERTO GONZALES,	§	
Attorney General, <i>et al.</i> ,	§	
<i>Respondent.</i>	§	
	§	

MEMORANDUM AND RECOMMENDATION

Respondents have filed a notice of mootness in response to this court’s order relating to petitioner’s petition for habeas corpus. (Dkt. 21). Attached to respondents’ motion is a sworn affidavit by Natalie Alvarado, deportation officer for the U.S. Immigration and Customs Enforcement. Alvarado swears that Petitioner Idehen Amas Igbinoba, A72 784 425, was released from the custody of U.S. Immigration and Customs Enforcement on October 2, 1006 and that an immigration hearing is scheduled for December 29, 2006. On October 10, 2006 Igbinoba also filed a notice of change of address informing the court that his new address is 9959 Adleta Blvd, Apartment 702 Dallas, Texas 75243. (Dkt. 19).

This court, therefore, recommends that Igbinoba’s petition for habeas corpus be dismissed as moot.

The parties have ten days from service of this Memorandum and Recommendation to file written objections. Failure to file timely objections will preclude appellate review of factual findings or legal conclusions, except for plain error. *See* Rule 8(b) of the Rules

Governing Section 2254 Cases; 28 U.S.C. § 636(b)(1)(C); FED. R. CIV. P. 72.

Signed at Houston, Texas on December 14, 2006

A handwritten signature in cursive script that reads "Stephen Wm Smith". The signature is written in black ink and is positioned above a horizontal line.

Stephen Wm Smith
United States Magistrate Judge