

[PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 14-11421

MAXI DINGA SOPO,

Petitioner-Appellant,

versus

U.S. ATTORNEY GENERAL,
SECRETARY, U.S. DEPARTMENT OF HOMELAND SECURITY,
ICE FIELD OFFICE DIRECTOR, ATLANTA REGION,
STEWART DC WARDEN,

Respondents-Appellees.

Appeal from the United States District Court
for the Middle District of Georgia

(May 17, 2018)

Before: JILL PRYOR and HULL, Circuit Judges, and CONWAY,* District Judge.

BY THE COURT:

On June 15, 2016, this Court published a decision vacating the district court's March 4, 2014, order dismissing Appellant's 28 U.S.C. § 2241 petition for

*Honorable Anne C. Conway, United States District Judge for the Middle District of Florida, sitting by designation.

habeas corpus and remanded. Sopo v. U.S. Att’y Gen., 825 F.3d 1199 (11th Cir. 2016). On August 8, 2016, Appellees’ filed a petition for panel rehearing, which we stayed pending the Supreme Court’s decision in Jennings v. Rodriguez, 138 S. Ct. 830 (2018), which issued on February 27, 2018. Following the issuance of Rodriguez, we directed the parties to file supplemental briefing addressing that decision’s impact on this case. Those briefs have not been filed yet.

Instead, the Appellees’ filed a motion to dismiss this appeal as moot and vacate this Court’s above June 15, 2016 published decision. Appellees assert that Sopo was removed from the United States on January 24, 2018 and is no longer detained in immigration custody. As such, Appellees assert that Sopo’s challenge to his immigration detention is now moot and request that we dismiss this appeal as moot and vacate our June 15, 2016 decision.

In a response to the Appellees’ motion, Appellant notes that he received a bond hearing shortly after our June 15, 2016 published decision and confirms that he was removed from the United States in January 2018. Appellant further “agrees that his appeal in this case has become moot,” and states that he “does not oppose vacatur of the panel’s decision.”

Appellees’ motion to dismiss this appeal as moot is GRANTED. Our June 15, 2016, published decision is hereby VACATED, and the appeal is DISMISSED AS MOOT.