

February 27, 2004

Charles R. Fulbruge III
Clerk

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 03-30901
Summary Calendar

EMMANUEL SHAR,

Petitioner-Appellant,

versus

JOHN ASHCROFT, CHRISTINE DAVIS,

Respondents-Appellees.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 03-CV-549

Before JONES, BENAVIDES, and CLEMENT, Circuit Judges.

PER CURIAM:*

Emmanuel Shar, formerly federal detainee # 18548-265, a native and citizen of Liberia, was ordered removed to Liberia on September 12, 2002. After being detained at Oakdale for over six months, Shar filed a 28 U.S.C. § 2241 petition seeking to be released based on his allegation that there was no reason to believe that his removal would occur in the reasonably

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

foreseeable future. The district court denied the petition, and the instant appeal was filed.

The United States Attorney has now informed the court that Shar has been removed from the United States and has been deported to his native country of Liberia. The Government moves to dismiss the appeal for lack of jurisdiction based on factual mootness. The Government's motion to dismiss is GRANTED, and the appeal is DISMISSED as MOOT. Shar's petition for a preliminary injunction is DENIED as MOOT.