

United States Court of Appeals for the Fifth Circuit

No. 24-30625
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

March 10, 2025

Lyle W. Cayce
Clerk

VLADIMIR BOGDANOV,

Petitioner—Appellant,

versus

ROBERT M. AINLEY; PATRICK ARBUCO; DENAE T. HALSEY,

Respondents—Appellees.

Appeal from the United States District Court
for the Western District of Louisiana
USDC No. 1:24-CV-673

Before SMITH, STEWART, and DUNCAN, *Circuit Judges.*

PER CURIAM:*

Vladimir Bogdanov, a native and citizen of Russia, appeals the district court's dismissal of his 28 U.S.C. § 2241 petition challenging his detention during the pendency of his asylum proceedings. He also asserted claims under the Federal Tort Claims Act.

* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

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“Whether an appeal is moot is a jurisdictional matter, since it implicates the Article III requirement that there be a live case or controversy.” *Bailey v. Southerland*, 821 F.2d 277, 278 (5th Cir. 1987). While Bogdanov argues that his detention during his asylum proceedings was arbitrary, capricious, abusive of discretion, and not otherwise in accordance with law, any such challenge is moot as he has been ordered removed and his detention is now governed by 8 U.S.C. § 1231. *See Andrade v. Gonzales*, 459 F.3d 538, 542-43 (5th Cir. 2006). Thus, we lack jurisdiction.

DISMISSED.