

United States Court of Appeals for the Fifth Circuit

No. 26-20122
Summary Calendar

United States Court of Appeals
Fifth Circuit

FILED

September 16, 2026

Lyle W. Cayce
Clerk

JOSUE FABRE DE QUESADA;
KIUVER CASTILLO ALBA,
NEXT FRIEND OF JOSUE FABRE DE QUESADA,

Petitioners—Appellants,

versus

FIELD OFFICE DIRECTOR, ICE HOUSTON;
RANDY TATE, *Warden of Montgomery Processing Center*;
MARKWAYNE MULLIN,
Secretary, U.S. Department of Homeland Security,

Respondents—Appellees.

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:26-CV-1441

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

PER CURIAM:*

Josue De Quesada, a native and citizen of Cuba assigned A#240 866 296, appeals the denial of the 28 U.S.C. § 2241 petition seeking release from

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

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detention and related injunctive and declaratory relief. We must always be cognizant of our jurisdiction and should raise the issue *sua sponte* if warranted. *Mosley v. Cozby*, 813 F.2d 659, 660 (5th Cir. 1987). A case is moot, and this court has no jurisdiction, where no relief can be granted to the prevailing party. *United States v. Heredia-Holguin*, 823 F.3d 337, 340 (5th Cir. 2016) (en banc). Because De Quesada has been removed, the relief requested cannot be granted. Accordingly, this appeal is DISMISSED AS MOOT, and all outstanding motions are DENIED.