

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

SAMIR FAWAKA,

Petitioner,

v.

Case No. 3:18-cv-502-J-34PDB

KIRSTJEN NIELSEN, SECRETARY
DEPARTMENT OF HOMELAND
SECURITY, et. al.,

Respondents.

ORDER

Petitioner Samir Fawaka initiated this action through counsel by filing a Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 on March 5, 2018, in the Northern District of Florida. See Doc. 1. On April 17, 2018, the Honorable Robert L. Hinkle transferred Fawaka's Petition to this Court for proper consideration. See Doc. 9.

Before the Court is Fawaka's Notice of Voluntary Dismissal filed through counsel on June 5, 2018, pursuant to Federal Rule of Civil Procedure 41(a)(1). See Doc. 23. According to Fawaka, he is "no longer in the custody of the U.S. government," thus, he no longer wishes to pursue this action. Defendants have not yet filed an answer to Fawaka's Petition. As such, this action is dismissed without prejudice. See Fed. R. Civ. P. 41(a)(1)(A)(i).

Accordingly, it is now

ORDERED AND ADJUDGED:

1. This case is **DISMISSED without prejudice**.

2. The Clerk of Court is directed to enter judgment **dismissing this case without prejudice**, terminating any pending motions, and closing the case.

DONE AND ORDERED at Jacksonville, Florida, this 6th day of June, 2018.


MARCIA MORALES HOWARD
United States District Judge

Jax-7

C:
David Stroller, Esq.
United States Attorney's Office