

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

PABLO ORZUNA,	:	
Petitioner,	:	
	:	
v.	:	No. 3:03 CV 1493 (SRU)
	:	
IMMIGRATION & NATURALIZATION	:	
SERVICE (INS),	:	
Respondent.	:	

RULING AND ORDER

In September 2003, Pablo Orzuna, a pro se prisoner in the custody of the Connecticut Department of Corrections, filed a petition for a writ of mandamus. The petition seeks an order requiring the respondent (1) to remove a detainer filed with the Department of Corrections and (2) to grant him an immediate removal hearing.

Orzuna is a native of Mexico, who was granted lawful permanent resident status on October 3, 1990. In February 2003, Orzuna was convicted of assault in the second degree and was sentenced to five years' incarceration. The respondent lodged a detainer against petitioner as a result of that conviction.

Orzuna's petition for a writ of mandamus must be dismissed because he has obtained all of the relief he sought in the petition. Orzuna has been taken into the respondent's custody and removal proceedings against him have commenced. Hearings were held before an immigration judge on October 8 and 15, 2003. Accordingly, the detainer has no further effect and Orzuna has been granted the requested hearing. Because Orzuna has already received all of the relief he requested, his petition is moot.

For the foregoing reasons, the petition for a writ of mandamus is dismissed. The clerk is

instructed to close this file.

It is so ordered.

Dated at Bridgeport, Connecticut this 6th day of January 2004.

/s/ Stefan R. Underhill
Stefan R. Underhill
United States District Judge