

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

TRY ANG,

Petitioner,

v.

MARCOS D. CHARLES, Acting Field  
Office Director, Immigration and  
Customs Enforcement and Removal  
Operations, Burlington,  
Massachusetts,

Respondent.

No. 19-cv-11537-DLC

**ORDER ON RESPONDENT'S MOTION TO DISMISS**  
**PETITION FOR WRIT OF HABEAS CORPUS**

CABELL, U.S.M.J.

The petitioner, a Cambodian national under a final order of removal but on supervised release since 2008, filed this petition on July 12, 2019. (D. 1). At that time, he expected to be shortly taken into custody by Immigration and Customs Enforcement (ICE) because ICE had notified him that he would be deported on July 24, 2019. The petitioner sought a writ of habeas corpus ordering his release or, in the alternative, an order prohibiting ICE from taking him into custody or removing him from this district.

While Ang reported to ICE as directed on July 17, 2019, he was not taken into custody. Instead, he remained on supervised release. Thereafter, the respondent filed a motion to dismiss

this petition for failure to state a claim, lack of ripeness, and lack of jurisdiction. (D. 12).

The court convened a hearing on this matter on March 24, 2020 (D. 17), at which time the petitioner's counsel stated that Ang is still on supervised release and does not appear under a current threat of removal. While petitioner's counsel stated that Ang has no more relief available through administrative channels, Ang's wife has applied for a visa under which the petitioner would be a derivative beneficiary. The petitioner's counsel stated that he is optimistic that this visa will be granted and that the petitioner's immigration issues will be resolved.

The petitioner's counsel continued that, given the current situation, he saw no ongoing dispute before this court and did not oppose the respondent's motion to dismiss.

Therefore, it is ORDERED that the Respondent's Motion to Dismiss (D. 12) is GRANTED and that the Petition for Writ of Habeas Corpus (D. 1) is DISMISSED. This dismissal is without prejudice to the petitioner's right to file a subsequent petition for writ of habeas corpus based on changed circumstances.

**SO ORDERED.**

/s/ Donald L. Cabell  
DONALD L. CABELL, U.S.M.J.

DATED: March 24, 2020