



(a) visit a designated place for a period not to exceed thirty days, and then return to the same or another facility, for the purpose of . . .

(2) attending a funeral of a relative . . .

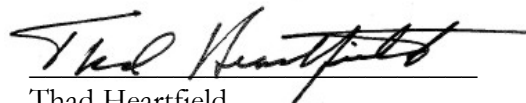
18 U.S.C. § 3622(a)(2). In turn, the Bureau of Prisons has delegated the authority to approve such furloughs to the Warden or Acting Warden of the institution where the prisoner is confined. 28 C.F.R. § 570.32(a)(1).

Because the matter is entirely within the discretion of the Bureau of Prisons, a prisoner does not have a constitutionally-protected right to release for a funeral. Therefore, this court lacks the authority to grant plaintiff a temporary release.

Conclusion

This civil action should be dismissed. A final judgment shall be entered in accordance with this Memorandum Opinion.

**SIGNED** this the **30** day of **October, 2009**.



Thad Heartfield  
United States District Judge