

**NOT DESIGNATED FOR PUBLICATION**

**STATE OF LOUISIANA**

**COURT OF APPEAL**

**FIRST CIRCUIT**

**2006 CA 0444**

**MARK HANNA**

**VERSUS**

**LOUISIANA DEPARTMENT OF PUBLIC SAFETY  
AND CORRECTIONS, ET AL.**

—  
**On Appeal from the 19th Judicial District Court  
Parish of East Baton Rouge, Louisiana  
Docket No. 509,439, Division "E," Section 23  
Honorable William A. Morvant, Judge Presiding**  
—

**Mark Hanna  
Monroe, LA**

**Plaintiff-Appellant  
In Proper Person**

**William Kline  
Baton Rouge, LA**

**Attorney for  
Defendant-Appellee  
Louisiana Department of  
Public Safety & Corrections**

**BEFORE: PARRO, GUIDRY, AND McCLENDON, JJ.**

**Judgment rendered February 14, 2007**

*RH  
Guz  
MK*

**PARRO, J.**

Mark Hanna appealed a judgment dismissing as moot his petition for judicial review of a prison disciplinary action that resulted in the loss of 180 days of good time credit while he was in the custody of the Louisiana Department of Public Safety and Corrections. Within six months of the filing of his petition in July 2003, he was released from custody under parole supervision. Therefore, the commissioner who reviewed his claim recommended to the district court that his petition be dismissed, since the only issue involved a disciplinary decision that, even if reversed, would have no consequences. The commissioner recommended that the dismissal of his petition be without prejudice, under the condition that if his parole were revoked in the future, he would have 30 days from that revocation to refile his petition under a new suit number.

The district court accepted the commissioner's recommendation and on October 21, 2005, signed a judgment incorporating these suggestions. Hanna appealed that judgment to this court, but later filed in the record of this proceeding a letter to the clerk of court, stating that his appeal was now moot. He explained that on March 15, 2006, he was convicted of a felony while on active parole, and was thus subject to revocation of his parole. He further stated that since he did not know when that revocation might actually occur, he had refiled his petition for judicial review under another suit number in order to safeguard his rights.

We will treat Hanna's letter as a motion to dismiss his appeal. We hereby grant his motion and dismiss the appeal, at his costs.

**APPEAL DISMISSED.**