

United States Court of Appeals
For the Eighth Circuit

No. 14-1465

United States of America

Plaintiff - Appellee

v.

Anthony L. Austin, also known as Wa'il Mansur Muhannad

Defendant - Appellant

Appeal from United States District Court
for the District of Nebraska - Omaha

Submitted: October 7, 2014

Filed: October 10, 2014

[Unpublished]

Before WOLLMAN, BYE, and SMITH, Circuit Judges.

PER CURIAM.

Anthony Austin appeals the district court's¹ order denying his motion for declaratory judgment and injunctive relief, construed by the court as a 28 U.S.C.

¹The Honorable Joseph F. Bataillon, United States District Judge for the District of Nebraska.

§ 2241 petition. Austin challenged the validity of a warrant and detainer issued against him by the United States Parole Commission, contending that the Parole Commission lacked authority to supervise him or treat him as a parolee. Following de novo review, we affirm the denial of relief, because the Parole Commission has not yet acted on the warrant that Austin claims is invalid. See Parrish v. Dayton, 761 F.3d 873, 875-76 (8th Cir. 2014) (explaining ripeness). Accordingly, we modify the judgment to reflect that it is without prejudice to Austin's right to raise his challenge in the future, should the Parole Commission execute the warrant.
