

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

SEAN QUALLS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 08-311 (CKK)
	)	
ISAAC FULWOOD, JR. <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	

**MEMORANDUM OPINION**

Plaintiff filed a *pro se* complaint against the Chairman and members of the United States Parole Commission, asserting that he was entitled to, but did not receive, a parole decision based on the 1987 parole guidelines. As relief, the plaintiff sought (1) a declaratory judgment that the defendants’ application of the 2000 parole guidelines violated the ex post facto clause, (2) an order directing the Commission to conduct within 45 days a new parole hearing using the 1987 parole guidelines. Plaintiff also requested this Court to retain jurisdiction to ensure compliance with the order sought.

The defendants filed a motion to dismiss the complaint as moot, stating that the Commission had scheduled another parole hearing for the plaintiff on June 24, 2009, at which it would apply the 1987 parole guidelines. The plaintiff opposed the motion, because the hearing had not yet occurred. Subsequently, the defendants confirmed that on June 24, 2009, plaintiff had a parole hearing using the 1987 guidelines. *See* Defs.’ Reply at 1. A show cause order issued, directing the plaintiff to state why the motion to dismiss should not be granted. In his response to the show cause order, the plaintiff relies on *Anyanwutaku v. Moore*, 151 F.3d 1053,

