

Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)). To state a federal claim against the District of Columbia, the plaintiff “must allege not only a violation of his rights under the Constitution or federal law, but also that the municipality’s custom or policy caused the violation.” *Warren v. D.C.*, 353 F.3d 36, 38 (D.C. Cir. 2004) (citing *Collins v. City of Harker Heights*, 503 U.S. 115, 123-24 (1992); *Baker v. District of Columbia*, 326 F.3d 1302, 1306 (D.C. Cir. 2003)).

Restricting a prisoner’s movement is a necessary incident of incarceration. *See Jones v. Helms*, 452 U.S. 412, 421 (1981) (distinguishing misdemeanant’s right to travel from that of “citizens whose right to travel had not been qualified in any way”). Furthermore, the right to travel is not absolute but rather “is a part of the ‘liberty’ of which a person cannot be deprived without due process of law.” *Berrigan v. Sigler*, 499 F.2d 514, 519 (D.C. Cir. 1974); *see Castaneira v. Potteiger*, 621 Fed. App’x 116, 119 (3d Cir. 2015) (concluding that “[b]ecause Georgia, through the exercise of its police power, was authorized to impose the special condition of parole . . . , and because . . . a parolee does not enjoy an absolute right to travel, [plaintiff’s] substantive due process claim failed as a matter of law”). The fact that the complaint arises from the plaintiff’s conviction undermines any notion that the travel restrictions resulting from his incarceration were imposed in violation of the due process clause. Therefore, this case will be dismissed with prejudice. A separate order accompanies this Memorandum Opinion.

Date: January 24, 2017



Chief Judge