

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

_____	)	
MACARTHUR VENABLE,	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 17-cv-1608 (APM)</b>
	)	
UNITED STATES OF AMERICA,	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**ORDER**


Petitioner MacArthur Venable seeks a writ of habeas corpus on the ground that Respondent U.S. Parole Commission has not provided him with a timely supervised release revocation hearing. *See* Pet., ECF No. 1. He seeks immediate release from custody. *Id.* at 8. For the reasons that follow, the court denies his petition as moot.

Petitioner’s claim is moot because he already received the only relief available to him. Absent delay that is so prejudicial that it constitutes a violation of due process, the sole remedy available to a petitioner for an untimely revocation hearing is to compel the respondent to hold such a hearing. *See Howard v. Caufield*, 765 F.3d 1, 11 (D.C. Cir. 2014); *Sutherland v. McCall*, 709 F.2d 730, 732 (D.C. Cir. 1983). Here, Respondent granted Petitioner a probable cause hearing and a final revocation hearing, *see* Resp’t’s Opp’n, ECF No. 9, at 1–2, and Petitioner has not shown that the alleged delay in receiving such hearings prejudiced him in any way. Furthermore, Petitioner was released on September 8, 2017, *see id* at 2, and he presents no argument that there exists a continuing case or controversy, *see Spencer v. Kemna*, 523 U.S. 9, 14 (1998); *Lane v.*

*Williams*, 455 U.S. 624, 631, 633 (1982); *Speight v. Johnson*, 969 F. Supp. 2d 10, 13 (D.D.C. 2013). Consequently, this case is moot.

The court dismisses this case as moot. This is a final, appealable Order.

Dated: October 12, 2017



Amit P. Mehta  
United States District Judge