

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

KEVIN STEWART McMAHAN

Plaintiff,

v.

NATE E. HUDSON, UNITED STATES
PROBATION OFFICER

Defendant.

Case No. 1:11-CV-523-BLW

**MEMORANDUM DECISION
AND ORDER**

MEMORANDUM DECISION

Plaintiff McMahan seeks an injunction preventing the U.S. Probation Office from placing him on home confinement between 5 p.m. and 10 p.m. on Halloween night. McMahan is currently on probation after pleading guilty to a charge of possession of child pornography in violation of 18 U.S.C. § 2252A. Standard Condition No. 3 of his probation requires him to “follow the instructions of the probation officer,” and Special Condition No 3 restricts him “from contact with individuals who are under the age of 18 years without adult supervision.”

Under these circumstances, the home confinement of McMahan on Halloween night is a reasonable restriction consistent with the conditions of his probation. The motion for injunction will therefore be denied.

ORDER


In accordance with the Memorandum Decision above,

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NOW THEREFORE IT IS HEREBY ORDERED, that the motion for injunction (docket no. 3) is DENIED.

DATED: **October 31, 2011**




B. LYNN WINMILL
Chief Judge
United States District Court