

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

MELVIN JOHNSON

CASE NO. 5:15-cv-0423

VERSUS

JUDGE WALTER

N. BURL CAIN

MAGISTRATE JUDGE HORNSBY

MEMORANDUM ORDER

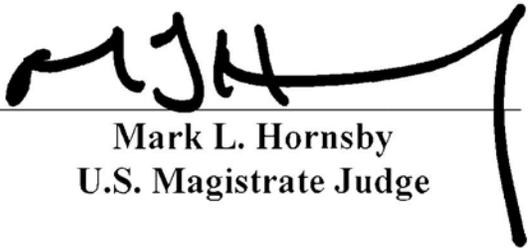
Melvin Johnson (DOC #107174) was convicted in Caddo Parish of armed robbery with a firearm and adjudicated a third-felony offender. He was sentenced to 198 years plus an additional five years for use of a firearm. The appellate court affirmed. State v. Johnson, 103 So.3d 542 (La. App. 2d Cir. 2012), writ denied, 105 S.3d 714 (La. 2013).

Petitioner filed a petition for writ of habeas corpus in this court in 2015. The State requested leave to file an extra-long brief. The court granted the request, and a copy of that order was mailed to Petitioner. It was soon returned from the Louisiana State Penitentiary with a notation “Not at LSP.” There has been no further communication from Petitioner. The court recently inquired of officials at the penitentiary and was informed that Melvin Johnson (DOC #107174) died on October 12, 2015, which was a few days after the State filed its brief and shortly before his mail was returned.

The death of a habeas petitioner renders moot his petition for habeas corpus relief. Soffar v. Davis, 653 Fed. Appx. 813 (5th Cir. 2016); Knapp v. Baker, 509 F.2d 922 (5th Cir. 1975); Brian R. Means, Federal Habeas Manual, § 1:78, Death of Petitioner (2017) (“The death of the petitioner renders a habeas action moot.”). Accordingly, the petition

filed by Melvin Johnson is considered **moot and is hereby dismissed**. The Clerk of Court is directed to close this case.

THUS DONE AND SIGNED in Shreveport, Louisiana, this 6th day of February, 2018.



Mark L. Hornsby
U.S. Magistrate Judge