

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 02-5197

September Term, 2002

00cv02028

Filed On: April 29, 2003 [746253]

Craig Devon Thompson,
Appellant

v.

United States of America and Michael J. Gaines, Chairman,
United States Parole Commission,
Appellees

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

BEFORE: Ginsburg, Chief Judge, and Henderson and Rogers, Circuit Judges

J U D G M E N T

This appeal was considered on the record from the United States District Court for the District of Columbia and on the briefs filed by the parties. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). It is

ORDERED AND ADJUDGED that the district court's order issued June 6, 2002, be affirmed. Appellant has not shown that under the governing provisions in effect when he was sentenced, the D.C. Board of Parole lacked the discretion to deny reparole after fifteen to twenty-four months. Moreover, he received the hearing guaranteed by 28 D.C.M.R. § 104.9. Accordingly, he has not shown he was disadvantaged by the United States Parole Commission's use of the current regulations. See Warren v. United States Parole Commission, 659 F.2d 183 (D.C. Cir. 1981).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

For the Court:
Mark J. Langer, Clerk

By:
Linda Jones
Deputy Clerk