

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
JOHNNY RAY CHANDLER, SR.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 06-0664 (PLF)
)	
UNITED STATES PAROLE)	
COMMISSION, <u>et al.</u> ,)	
)	
Defendants.)	
_____)	

MEMORANDUM OPINION

On May 4, 2011, the Court dismissed plaintiff Johnny Ray Chandler's common law tort claims, First Amendment claims, Fifth Amendment self-incrimination claims, Eighth Amendment claims, and Fourteenth Amendment claims, leaving only his Fifth Amendment procedural due process claim. See Chandler v. James, 783 F. Supp. 2d 33, 41-44 (D.D.C. 2011); ORDER (May 4, 2011) [Dkt. 78]. With leave of the Court, see ORDER at 1 [Dkt. 78], Chandler amended his complaint on October 7, 2011 to include an Administrative Procedure Act claim ("statutory claim") in addition to his Fifth Amendment procedural due process claim. See Second Amended Complaint ¶¶ 77-80 [Dkt. 87]. On August 8, 2014, the Court denied Chandler's motion for summary judgment on his statutory claim but granted it on his Fifth Amendment procedural due process claim, entering judgment for him on that claim, and ordered defendant United States Parole Commission to provide Chandler with six procedural protections. See Chandler v. United States Parole Comm'n, 60 F. Supp. 3d 205, 213-14, 224-25 (D.D.C.

2014); ORDER at 1-2 (August 8, 2014) [Dkt. 162]. That opinion left Chandler's statutory claim as the only remaining live claim in the case.

With defendants' written consent pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, see NOTICE OF CONSENT TO THE FILING OF A THIRD AMENDED COMPLAINT at 1 [Dkt. 175], Chandler on February 1, 2016 amended his complaint to withdraw the statutory claim. See THIRD AMENDED COMPLAINT [Dkt. 176]. The Third Amended Complaint therefore includes only the Fifth Amendment procedural due process claim, id. ¶¶ 59-76, a claim on which the Court already had granted judgment for Chandler. See Chandler v. United States Parole Comm'n, 60 F. Supp. 3d at 224-25; ORDER at 1-2 [Dkt. 162].

For these reasons and for the reasons stated in the Court's Opinion and Order of August 8, 2014, see Chandler v. United States Parole Comm'n, 60 F. Supp. 3d at 213-14, 224-25; ORDER at 1-2 [Dkt. 162], the Court will issue an Order and Judgment this same day.

SO ORDERED.

/s/

PAUL L. FRIEDMAN
United States District Judge

DATE: March 9, 2016