

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CHARLES E. FORRESTER, JR,

Plaintiff,

v.

FEDERAL BUREAU OF PRISONS *et al.*,

Defendants.

Civil Action 06-1954 (HHK)

MEMORANDUM

In response to the Order of September 12, 2007, the Bureau of Prisons has sufficiently shown that plaintiff has not been deprived of his statutory right to participate in available educational or vocational training programs at Rivers Correctional Institution. *See* Defendants' Supplemental Motion to Dismiss at 3 and supporting exhibits; Reply to Plaintiff's Response in Opposition to Defendants' Supplemental Motion to Dismiss and Plaintiff's Request for Judicial Notice, Attachment 1 (Pl.'s Transcript). Plaintiff's opposition, including his proffer of public records, does not present a triable issue on the remaining statutory claim. *See generally* Memorandum Opinion (Sept. 12, 2007) (finding for defendants on all other claims). Accordingly, the Court will grant defendants' supplemental motion and will now dismiss the case by separate Order issued contemporaneously with this Memorandum.

s/s
Henry H. Kennedy, Jr.
United States District Judge

Date: March 26, 2008