

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

Marvin Terrell Carter,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 10-1490 (JDB)
)	
Simon T. Wainwright,)	
)	
Respondent.)	
_____)	

MEMORANDUM OPINION

In this action for a writ of *habeas corpus*, petitioner, proceeding *pro se*, claims that he was denied the effective assistance of counsel during parole revocation proceedings conducted in the District of Columbia. He claims that his appointed counsel from the D.C. Public Defender Service advised him to agree to an expedited revocation without adequately consulting him and investigating his case. Petitioner seeks “to set aside, vacate, or correct his sentence and . . . a [new] parole hearing” Petition for Writ of Habeas Corpus/Motion to Vacate Parole Revocation Decision [“Pet.”] at 1.

Pending before the Court are petitioner’s motion for summary judgment and the United States’ subsequently filed motion to dismiss the petition on the ground that it is moot. The United States has shown that the challenged proceeding has been voided and that a new parole revocation hearing is scheduled at petitioner’s current institution in Winton, North Carolina. *See* United States Mot. to Dismiss Pet’r’s Pet. for a Writ of Habeas Corpus [Dkt. No. 9], Ex. J (Notice of Action); Supp. to the United States’ Mot. to Dismiss [Dkt. No. 12]. Furthermore,

petitioner has not opposed the government's motion. Hence, the Court will grant the United States' motion to dismiss the habeas petition as moot. A separate Order accompanies this Memorandum Opinion.

s/

JOHN D. BATES
United States District Judge

DATE: January 5, 2011