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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

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| <p>STEVEN ERICK RILEY,</p> <p>Petitioner - Appellant</p> <p>v.</p> <p>L. E. SCRIBNER, Warden,</p> <p>Respondent - Appellee</p> |
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No. 06-56806

D.C. No. CV-06-06225-TJH(AN)

MEMORANDUM \*

Appeal from the United States District Court  
for the Central District of California  
Honorable Terry J. Hatter, U.S. District Judge, Presiding

Submitted April 22, 2008\*\*

Before: GRABER, FISHER, and BERZON, Circuit Judges

Steven E. Riley, a California state prisoner, appeals pro se from the summary dismissal of his 28 U.S.C. § 2254 habeas corpus petition claiming denial of due process and other constitutional rights because he did not receive a parole hearing until three years after the statutorily required time. We affirm the district

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

court's holding that the case is moot. Riley has received a hearing and thus already has received the only remedy to which he would be entitled. *See Burnett v. Lampert*, 432 F.3d 996, 999 (9th Cir. 2005) (discussing mootness); *Benny v. U.S. Parole Comm'n*, 295 F.3d 977, 989-90 (9th Cir. 2002) (holding that remedy for federal prisoner entitled to parole termination hearing was mandamus petition ordering hearing).

**AFFIRMED.**