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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>TAI TRUONG,</p> <p>Petitioner - Appellant,</p> <p>v.</p> <p>MARTIN HOSHINO,</p> <p>Respondent - Appellee.</p>

No. 10-15117

D.C. No. 2:08-cv-02831-MCE-DAD

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Morrison C. England, Jr., District Judge, Presiding

Submitted March 8, 2011**

Before: FARRIS, O’SCANNLAIN, and BYBEE, Circuit Judges.

California state prisoner Tai Truong appeals pro se from the district court’s judgment dismissing his 42 U.S.C. § 1983 action alleging due process violations in connection with his 2008 parole hearing. We have jurisdiction under 28 U.S.C.

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

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

§ 1291. We review de novo. *Resnick v. Hayes*, 213 F.3d 443, 447 (9th Cir. 2000).

We affirm.

The district court properly dismissed Truong’s action on the basis of mootness because, in light of an amendment to the relevant law before his November 26, 2008 hearing, “there [wa]s no longer a possibility that [he could] obtain relief for his claim.” *Foster v. Carson*, 347 F.3d 742, 745 (9th Cir. 2003) (citation and internal quotation marks omitted); *see also* Cal. Penal Code § 3041.5(b)(3) (effective November 5, 2008).

Truong’s remaining contentions are unpersuasive.

Defendant’s request for judicial notice is granted.

AFFIRMED.