

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 22 2019

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ROBERT TRINGHAM,

Petitioner-Appellant,

v.

FELICIA PONCE, Warden,

Respondent-Appellee.

No. 18-55468

D.C. No. 2:17-cv-08145-SJO

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
S. James Otero, District Judge, Presiding

Submitted August 19, 2019**

Before: SCHROEDER, PAEZ, and HURWITZ, Circuit Judges.

Federal prisoner Robert Tringham appeals pro se from the district court's order denying his 28 U.S.C. § 2241 habeas corpus petition. We review de novo, *see United States v. Lemoine*, 546 F.3d 1042, 1046 (9th Cir. 2008), and we affirm.

The record reflects and the parties agree that, beginning in June 2017 and in

* 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).

accordance with *Ward v. Chavez*, 678 F.3d 1042 (9th Cir. 2012), the Bureau of Prisons (“BOP”) exempted Tringham’s restitution obligation from collection. As the district court correctly found, Tringham’s challenge to the BOP’s collection of his restitution obligation through the Inmate Financial Responsibility Program (“IFRP”) is, therefore, moot. *See Burnett v. Lampert*, 432 F.3d 996, 1000-01 (9th Cir. 2005) (habeas petition moot when the injury alleged cannot be redressed by a favorable judicial decision). Furthermore, contrary to his contention, Tringham has no preexisting right to benefits conditioned on his participation in the IFRP. *See Lemoine*, 546 F.3d at 1046. Finally, Tringham’s request for reimbursement of the funds previously deducted from his prison wages is not cognizable in a habeas proceeding. *See Preiser v. Rodriguez*, 411 U.S. 475, 494 (1973).

Tringham’s remaining claims are outside the scope of this appeal.

AFFIRMED.