

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

Daniel Hobson v. Superintendent Thompson, et al.

Hobson · No. 1:24-cv-342 · Decided April 27, 2026

SUMMARY

The Report and Recommendation addresses Daniel Hobson’s petition for a writ of habeas corpus under 28 U.S.C. § 2254, challenging the Pennsylvania Parole Board’s September 9, 2024 denial of parole. It recommends denying the petition as moot because Hobson received a subsequent parole hearing and was granted parole. It also recommends denying a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the Western District of Pennsylvania
WRITING FOR THE COURT	Susan Paradise Baxter, Chief United States Magistrate Judge
JURISDICTION	United States District Court for the Western District of Pennsylvania
DECIDED	April 27, 2026
DOCKET	1:24-cv-342
DISPOSITION	other
PROCEDURAL POSTURE	Report and recommendation on a petition for a writ of habeas corpus under 28 U.S.C. § 2254 challenging the Pennsylvania Parole Board's September 9, 2024 denial of parole.
STANDARD OF REVIEW	For mootness, the court applied Article III's case-or-controversy requirement and considered whether developments during litigation eliminated the petitioner's personal stake or prevented effective relief. For a certificate of appealability, the court applied the substantial-showing standard under 28 U.S.C. § 2253(c)(2) and asked whether reasonable jurists would find the mootness determination debatable.
PRECEDENTIAL VALUE	nonprecedential report and recommendation; final effect subject to district-court review
PARTIES	Daniel Hobson v. Superintendent Thompson, et al.

TOPICS

- federal habeas corpus
- post-conviction relief
- subject matter jurisdiction
- remedies

PRACTICE AREAS

federal habeas corpus

constitutional law

civil procedure

remedies

QUESTIONS PRESENTED

1. Whether Hobson's § 2254 challenge to the Pennsylvania Parole Board's September 9, 2024 denial of parole remained a live case or controversy after a subsequent parole hearing.
2. Whether the subsequent grant of parole rendered the habeas petition moot.
3. Whether Hobson was entitled to a certificate of appealability.

HOLDINGS

1. The petitioner's challenge to the September 9, 2024 parole denial was moot because he received a subsequent parole hearing, which was the only relief the court could have ordered for the challenged denial.
2. The subsequent grant of parole independently rendered the petition moot because the court could no longer provide habeas relief concerning the earlier parole denial.
3. The court recommended that no certificate of appealability issue because reasonable jurists would not find it debatable that the petition should be dismissed as moot.

KEY QUOTATIONS

“Thus, if developments occur during the litigation that eliminate a petitioner’s personal stake in the outcome of a suit or prevent a court from being able to grant effective relief, the case must be dismissed as moot.”

“The only relief this Court could have awarded to Petitioner based on the claims in his petition would have been to order a new parole hearing.”

FACTUAL BACKGROUND

Hobson was sentenced by the Court of Common Pleas of Erie County on February 26, 1991. After being paroled in 2013, he was recommitted as a convicted parole violator in 2021, and the Pennsylvania Parole Board denied him parole on multiple occasions, including September 9, 2024. During the federal habeas litigation, the Board conducted another parole hearing in 2025 and granted him parole.

PROCEDURAL HISTORY

Hobson mailed his habeas petition on November 30, 2024, and it was docketed on May 19, 2025. While the petition was pending, the Pennsylvania Parole Board held another hearing in 2025 and granted Hobson parole. The magistrate judge recommended that the petition be denied as moot and that no certificate of appealability issue, subject to review by the district court upon timely objections.

DISPOSITION

other

CASES CITED

- Vickers v. Superintendent Graterford SCI, 858 F.3d 841, 848-49 (3d Cir. 2017)
- Spencer v. Kemna, 523 U.S. 1, 7 (1998)
- Burkey v. Marberry, 556 F.3d 142, 147-48 (3d Cir. 2009)
- Lewis v. Continental Bank Corp., 494 U.S. 472, 477-78 (1990)
- Keitel v. Mazurkiewicz, 729 F.3d 278, 280 (3d Cir. 2013)
- Weiler v. Overmyer, Civ. A. No. 21-303, 2024 WL 3327771 (W.D. Pa. 2024)
- Slack v. McDaniel, 529 U.S. 473, 484 (2000)
- Brightwell v. Lehman, 637 F.3d 187, 194 n.7 (3d Cir. 2011)
- Nara v. Frank, 488 F.3d 187 (3d Cir. 2007)

OPINION

HOBSON

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DANIEL HOBSON, Case No. 1:24-cv-342 Petitioner SUSAN PARADISE BAXTER v.) United
States District Judge) SUPERINTENDENT THOMPSON, et al., Chiet United States Magistrate
fudge Respondents REPORT AND RECOMMENDATION

) ON PETITION FOR WRIT OF HABEAS

) CORPUS (ECF NO. 4)

REPORT AND RECOMMENDATION

I. RECOMMENDATION

It is respectfully recommended that the Petition for Writ of Habeas Corpus filed by Petitioner Daniel Hobson pursuant to 28 U.S.C. § 2254, ECF No. 4, be denied as moot. It is further recommended that no certificate of appealability issue.

II. REPORT

A. Procedural History Petitioner is deemed to have commenced this litigation on November 30, 2024, when he mailed his petition. ECF No. 1 at 15. Petitioner was then serving a sentence of imprisonment imposed on February 26, 1991, by the Court of Common Pleas of Erie County at Docket Number CP-25-MD-0001761-1990. Petitioner was paroled in 2013 but was recommitted as a convicted parole violator in 2021. The Pennsylvania Parole Board (“the Board”) subsequently denied Petitioner parole on multiple occasions, including on September 9, 2024. The pending Petition was docketed on May 19, 2025. ECF No. 4. Therein, Petitioner asserts that the Board’s September 9, 2024, decision to deny him parole violated his constitutional rights. Respondents filed an Answer, ECF No. 7, and an Addendum, ECF No. 11. In the Addendum, Respondents attach, inter alia, a September 10, 2025, decision of the Board granting Petitioner parole at the docket number sub judice.’ ECF No. 11-2. The petition is ripe for review. B. Jurisdiction Under 28

U.S.C. § 2254, a federal court may grant a state prisoner a writ of habeas corpus “on the ground that he or she is in custody in violation of the Constitution...of the United States.” 28 U.S.C. § 2254(a). It is Petitioner’s burden to prove that he is entitled to the writ. See, e.g., *Vickers v. Superintendent Graterford SCI*, 858 F.3d 841, 848-49 (3d Cir. 2017). C. Analysis It is a well-established principle that federal courts do not have jurisdiction to decide an issue unless it presents a live case or controversy as required by Article III, § 2, of the United States Constitution. *Spencer v. Kemna*, 523 U.S. 1, 7 (1998). ““To invoke the jurisdiction of a federal court, a litigant must have suffered, or be threatened with, an actual injury traceable to the defendant and likely to be redressed by a favorable judicial decision.”” *Burkey v. Marberry*, 556 F.3d 142, 147 (3d Cir. 2009) (quoting *Lewis v. Continental Bank Corp.*, 494 U.S. 472, 477 (1990)). “The case or controversy requirement continues through all stages of federal judicial proceedings, trial and appellate, and requires that parties have a personal stake in the outcome.” /d. (citing *Lewis*, 494 USS. at 477-78). board to grant Petitioner parole at that docket number as well, ECF No. 11-4; however, that matter is not before the Thus, if developments occur during the litigation that eliminate a petitioner’s personal stake in the outcome of a suit or prevent a court from being able to grant effective relief, the case must be dismissed as moot. *Id.* at 147-48; *Keitel v. Mazurkiewicz*, 729 F.3d 278, 280 (3d Cir. 2013). Such is the case here, where this petition is moot for two reasons. First, because the only relief that a court can grant on a challenge such as the one Petitioner raises is a new parole hearing, a subsequent hearing held by the Parole Board renders an inmate’s challenge to the prior parole decision moot. See *Weiler v. Overmyer*, Civ. A. No. 21-303, 2024 WL 3327771 (W.D. Pa. 2024) (collecting cases). Petitioner challenges the Board’s September 9, 2024, decision. The only relief this Court could have awarded to Petitioner based on the claims in his petition would have been to order a new parole hearing. However, he received an additional parole hearing in 2025 after the filing of this habeas petition. Therefore, his challenge to the Board’s prior denial of parole is moot. Secondly, following that 2025 hearing, the Board granted Petitioner parole. For this additional reason, this Court cannot provide Petitioner with any habeas relief. Accordingly, the petition should be denied as moot. D. Certificate of Appealability AEDPA codified standards governing the issuance of a certificate of appealability for appellate review of a district court’s disposition of a habeas petition. It provides that “[a] certificate of appealability may issue...only if the applicant has made a substantial showing of the denial of a constitutional right.” 28 U.S.C. § 2253(c)(2). Petitioner is not entitled to a certificate of appealability because jurists of reason would not find it debatable that his claims should be dismissed as moot. *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). WI. Notice In accordance with 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72, the parties may seek review by the district court by filing Objections to the Report and Recommendation within fourteen (14) days of the filing of this Report and Recommendation. Any party opposing the objections shall have fourteen (14) days from the date of service of Objections to respond thereto. See Fed. R. Civ. P. 72(b)(2). Failure to file timely objections may constitute a waiver of appellate rights. See *Brightwell v. Lehman*, 637

F.3d 187, 194 n.7 (3d Cir. 2011); Nara vy. Frank, 488 F.3d 187 (3d Cir. 2007). Ké A. | eke Dated:
April 27, 2026 Chief United States Magistrate Judge

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