

declaratory and injunctive relief to the extent that Defendants Brad Livingston, as Executive Director of the Texas Department of Criminal Justice, Stuart Jenkins, as Director of the Texas Department of Criminal Justice Parole Division (collectively, “the Department”); and Defendants Rissie L. Owens, Jose Aliseda, Charles Aycock, Conrith Davis, Jackie DeNoyelles, Barbara Lorraine, and Juanita M. Gonzales, as members of the Texas Board of Pardons and Paroles (collectively, “the Board”), acting as the State of Texas, (the “State”) must afford Meza due process as required by *Coleman v. Dretke*, 395 F.3d 216 (5th Cir. 2004). The Court dismissed Meza’s remaining claims without prejudice.

In his Original Complaint, Meza sued Livingston, in his official capacity; Brian Collier, in his official and individual capacities; Travis County; Greg Hamilton, as Sheriff of Travis County; and parole officers in their official and individual capacities. In addition to his constitutional claims, Meza also brought a claim against Hamilton under the Religious Land Use and Institutionalized Persons Act of 2000 (“RLUIPA”). *See* 42 U.S.C. § 2000cc, *et seq.* (2003).

On November 17, 2006, the Court granted the relevant parties’ voluntary motion to dismiss the claims between Meza, Travis County, and Hamilton (Clerk’s Document 49). The Court dismissed the claims for monetary damages against Livingston and Collier in their official capacities on December 6, 2006 (Clerk’s Document 52).

In his Third Amended Complaint (Clerk’s Document 96), Meza added the Board members as Defendants, alleged RLUIPA claims against the Department and Board Defendants, and dropped his claims against the individual parole officers. Meza stipulated to dismissal without prejudice of his individual-capacity claims against Collier on June 15, 2007 (Clerk’s Document 218). The Court

dismissed Meza's RLUIPA claims against the Department and Board Defendants on June 25, 2007 (Clerk's Document 238).

Seeing that no matters remain pending in this cause, the Court renders the following final judgment pursuant to Federal Rule of Civil Procedure 58.

IT IS ORDERED that all claims asserted between Meza, Travis County, and Hamilton are **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that Meza's claims for monetary damages against Livingston and Collier in their official capacities are **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that Meza's claims against Collier in his individual capacity are **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED Meza's RLUIPA claims against the Department and Board are **DISMISSED WITH PREJUDICE**.

THE COURT FURTHER DECLARES that the State failed to afford Meza "a hearing meeting the requirements of due process" when it imposed sex-offender conditions on his parole.

IT IS FURTHER ORDERED that the State shall provide Meza with an appropriate hearing regarding imposition of sex-offender conditions on his parole consistent with the Court's Findings of Fact and Conclusions of Law rendered this day.

IT IS FURTHER ORDERED that Meza's equal-protection and due-process claims regarding his other formal and informal conditions of parole are **DISMISSED WITHOUT PREJUDICE**.


IT IS FURTHER ORDERED that Meza is awarded costs for the prosecution of this cause.

Meza's request for attorney's fees is **DISMISSED WITHOUT PREJUDICE** to refile in accordance with the Local Rule CV-7(i) of the Local Rules of the Western District of Texas.

IT IS FURTHER ORDERED that all relief not expressly granted is **DENIED**.

IT IS FINALLY ORDERED that this cause is **CLOSED**.

SIGNED this 24th day of March, 2009.



LEE YEAKEL
UNITED STATES DISTRICT JUDGE