

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 00-60288  
Summary Calendar

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ELVIRO BROWN,

Plaintiff-Appellant,

versus

DAVID TURNER; MICHAEL C. MOORE,  
Attorney General, State of Mississippi,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Mississippi  
(2:99-CV-342-PG)

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September 11, 2000

Before HIGGINBOTHAM, WIENER, and BARKSDALE, Circuit Judges.

PER CURIAM:\*

Elviro Brown, Mississippi prisoner # 13836, appeals, *pro se*, the dismissal of his civil-rights action. Such *sua sponte* dismissal of a complaint as frivolous or for failure to state a claim is reviewed *de novo*. See **Ruiz v. United States**, 160 F.3d 273, 275 (5th Cir. 1998). Because the deprivations challenged by Brown were *not* protected liberty interests, he failed to show his constitutional rights were violated. See **Sandin v. Conner**, 515

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\*Pursuant to 5TH CIR. R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

U.S. 472, 485-87 (1995) (30-day period of disciplinary segregation did not support due process claim); **Berry v. Brady**, 192 F.3d 504, 508 (5th Cir. 1999) (loss of one visitation session and eight meals did not implicate a liberty interest); **Moody v. Baker**, 857 F.2d 256, 257-58 (5th Cir.) (“[a]n inmate has neither a protectible property nor liberty interest in his custody classification”), cert. denied, 488 U.S. 985 (1988).

Likewise, because Brown has not alleged the violation of a constitutional right, the district court did not err by failing to allow Brown a reasonable opportunity to develop his claims in a **Spears** hearing.

**AFFIRMED**