

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 01-40448
Summary Calendar

ALFRED L. WILSON

Petitioner - Appellant

v.

WARDEN U.S. PENITENTIARY BEAUMONT; US PAROLE COMMISSION

Respondents - Appellees

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:99-CV-193

November 12, 2001

Before KING, Chief Judge, and HIGGINBOTHAM and BENAVIDES, Circuit Judges.

PER CURIAM:*

Alfred L. Wilson, federal prisoner # 98870-131, appeals the denial of his 28 U.S.C. § 2241 petition in which he challenged the revocation of his parole. He first avers that he was denied his due process right to personally confront the victim during her testimony at the parole-revocation hearing.

Although Wilson was not allowed to remain in the room during the victim's testimony at the revocation hearing, his attorney was present, and he was given the opportunity to cross-examine

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

the victim. Accordingly, Wilson was afforded the minimum procedural due process requirements. See Morrissey v. Brewer, 408 U.S. 471, 489 (1972).

We also reject Wilson's challenge to the sufficiency of the evidence. A review of the record reveals that the Parole Commission had "some evidence" from which to conclude that Wilson was guilty of the offense of rape, including the police investigation file and the testimony of Wilson, the victim, Wilson's parole officer, the police investigator, and the victim's mother and grandfather. See Villarreal v. United States Parole Comm'n, 985 F.2d 835, 839 (5th Cir. 1993). The judgment of the district court is AFFIRMED.

AFFIRMED.