

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-11018
Summary Calendar

KENNETH H. LINN,

Petitioner-Appellant,

versus

GEORGE E. KILLINGER, Warden
F.C.I. Fort Worth,

Respondent-Appellee.

- - - - -
Appeal from the United States District Court
for the Northern District of Texas
USDC No. 4:95-CV-923-A
- - - - -

April 22, 1997

Before KING, JOLLY, and DENNIS, Circuit Judges.

PER CURIAM:*

Kenneth H. Linn, federal prisoner #16270-086, appeals from the district court's denial of his 28 U.S.C. § 2241 petition. Linn challenged the United States Parole Commission's determination that his offense rates as a category eight severity offense under the parole policy guidelines. See 28 C.F.R. § 2.20 (1987). His challenge is without merit as there was some

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

evidence to support Commission's decision. *Simpson v. Ortiz*, 995 F.2d 606, 608 (5th Cir. 1993).

Linn also contended that the Parole Commission violated his due process rights by considering undisclosed information in setting his offense severity category. This contention is belied by the record.

AFFIRMED.