

UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 98-20584  
Summary Calendar

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MICHAEL RICHIE,

Plaintiff-Appellant,

versus

GARY JOHNSON, DIRECTOR, TEXAS DEPARTMENT  
OF CRIMINAL JUSTICE, INSTITUTIONAL DIVISION; CAROL  
VANCE; ELLEN J. HALBERT, Vice Chairwoman,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Southern District of Texas  
USDC No. 97-CV-1027

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August 31, 1999

Before SMITH, BARKSDALE, and PARKER, Circuit Judges.

PER CURIAM:\*

Michael Richie, Texas inmate # 349726, appeals *pro se* the dismissal, for failure to state a claim upon which relief can be granted, of his 42 U.S.C. § 1988 civil rights action. He contends that his due process rights were violated when the Texas Department of Criminal Justice refused to restore good-time credit which he lost on return to prison after revocation of his parole. Unlike in

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 R. 47.5, the Court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

district court, Richie does not assert that his equal protection rights and the Ex Post Facto Clause were violated. Those claims, therefore, are deemed abandoned. See **Yohey v. Collins**, 985 F.2d 222, 223-24 (5th Cir. 1993).

Because Richie lacks a constitutionally protected liberty interest in the restoration of the good-time credit, he fails to state a claim upon which relief may be granted. See **Hallmark v. Johnson**, 118 F.3d 1073, 1079-80 (5th Cir.) *cert. denied*, 118 S. Ct. 576 (1997). Accordingly, the dismissal of his action is

**AFFIRMED.**