

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 99-40128
Conference Calendar

RICHARD D. LASZCZYNSKI,

Petitioner-Appellant,

versus

PERCY H. PITZER, Warden;
UNITED STATES BUREAU OF PRISONS,

Respondents-Appellees.

- - - - -
Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:98-CV-1752
- - - - -

August 25, 1999

Before KING, Chief Judge, and DAVIS and SMITH, Circuit Judges.

PER CURIAM:*

Richard D. Laszczyński, federal prisoner #41928-066, appeals the district court's dismissal of his 28 U.S.C. § 2241 petition challenging a disciplinary hearing finding that he was guilty of the charge of fighting and the resulting sanction of the loss of seven days of good-conduct time and seven days of disciplinary segregation. Laszczyński argues that the disciplinary hearing officer did not consider certain evidence and that the evidence

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

was insufficient to support his conviction on the disciplinary charge.

The record supports the district court's finding that no due process violation existed regarding whether Laszczyński was allowed to present documentary evidence at the disciplinary hearing and whether such evidence was considered. See Wolff v. McDonnell, 418 U.S. 539, 564-65 (1974)).

The record further indicates that the disciplinary hearing officer's decision was supported by some evidence. See Superintendent, Massachusetts Correctional Inst., Walpole v. Hill, 472 U.S. 445, 455 (1985); Gibbs v. King, 779 F.2d 1040, 1044 (5th Cir. 1986).

AFFIRMED.