

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 98-41394
Summary Calendar

BILLY WAYNE GREEN,

Plaintiff-Appellant,

versus

JAMES A. COLLINS, ET AL.,

Defendants,

J. BARRETT; B. ADAMS; K. SULEWSKI,
J. KITCHEN; M. JONES; LINDA WELDON;
B. WYATT; J. NIXON; K. KITCHEN;
D. HAMMER; L. LIPSCOMB; UNIDENTIFIED
ROLLO, Captain; UNIDENTIFIED BOSTIC;
D. SHANNON; ALL DEFENDANTS,

Defendants-Appellees.

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Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 9:93-CV-42
- - - - -

March 17, 2000

Before REAVLEY, BARKSDALE and STEWART, Circuit Judges.

PER CURIAM:*

Billy Wayne Green, Texas prisoner # 617697, appeals from the district court's grant of summary judgment in favor of the appellees. Green argues that the district court erred when it applied Heck v. Humphrey, 512 U.S. 477 (1994), to his claims challenging the disciplinary cases filed against him. The

* 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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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 did not err in applying Heck to Green's claims regarding the disciplinary convictions which have not been expunged. Edwards v. Balisok, 520 U.S. 641, 648 (1997).

Green argues that Assistant Warden J. Barrett failed to adhere to prison policies when he assigned Green to work the number 13 medical hoe squad. The district court's dismissal of Green's classification claims was not erroneous. Howard v. King, 707 F.2d 215, 219 (5th Cir. 1983).

Green argues that appellee D. Shannon was deliberately indifferent to his serious medical needs in her investigation and handling of his complaints. The district court did not err in dismissing Green's claim regarding the investigation of his medical complaints. Farmer v. Brennan, 511 U.S. 825, 847 (1994).

Finally, Green argues that appellees K. Sulewski, Rollo, B. Wyatt, Bostic, and Linda Weldon violated his due process rights during his disciplinary hearings. The court did not err in dismissing Green's claims regarding his disciplinary hearings. Madison v. Parker, 104 F.3d 765, 768 (5th Cir. 1997); Banuelos v. McFarland, 41 F.3d 232, 234 (5th Cir. 1995).

AFFIRMED.