

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 94-40430

Summary Calendar

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MATTHEW THOMAS CLARKE,

Plaintiff-Appellant,

versus

ALFRED F. HURLEY et al.,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Eastern District of Texas  
(1:92-CV-418)

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(January 24, 1995)

Before GARWOOD, HIGGINBOTHAM, and DAVIS, Circuit Judges.

PER CURIAM:\*

By giving oral notice on June 10, nine days after taking action against Clarke, and giving formal written notice on June 24, twenty-three days after the action, university officials satisfied Clarke's due process right to notice. Clarke v. University of North Texas, No. 92-4619, at 5-7 (5th Cir. May 28, 1993), cert. denied, 114 S. Ct. 639 (1993). Clarke also suggests that the

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\*Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

university should have held a hearing by June 26, the date by which he needed to file paperwork for a July 3 dissertation defense. The failure to hold the post-deprivation hearing within the two days following written notice did not violate due process because it was reasonable. See Goss v. Lopez, 419 U.S. 565, 582-83 (1975) (requiring hearing only "as soon as practicable"). AFFIRMED.