

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 94-50022  
Conference Calendar

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MAURICE W. SANDERS,

Petitioner-Appellant,

versus

WILLIAM HEDRICKS,

Respondent-Appellee.

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. A-93-CA-408  
- - - - -  
(September 22, 1994)

Before KING, SMITH, and BENAVIDES, Circuit Judges.

PER CURIAM:\*

Maurice W. Sanders argues that the district court erred in denying his 28 U.S.C. § 2241 petition because the DHO improperly found him guilty based solely upon the uncorroborated statement of a confidential informant. He contends that the credibility and reliability of the confidential informant were never determined.

The requirements of due process are satisfied if "some evidence" supports the decision by the prison disciplinary board

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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 Pursuant to that Rule, the Court has determined that this opinion should not be published.

to revoke good-time credits. Superintendent, Massachusetts Correctional Inst. v. Hill, 472 U.S. 445, 455, 105 S. Ct. 2768, 86 L. Ed. 2d 356 (1985). Prison disciplinary proceedings will be overturned "only where there is no evidence whatsoever to support the decision of the prison officials." Reeves v. Pettcox, 19 F.3d 1060, 1062 (5th Cir. 1994).

"Ascertaining whether this standard is satisfied does not require examination of the entire record, independent assessment of the credibility of witnesses, or weighing of the evidence." Hill, 472 U.S. at 455. "Federal Courts will not review the sufficiency of the evidence at a disciplinary hearing; a finding of guilt requires only the support of 'some facts' or 'any evidence at all.'" Gibbs v. King, 779 F.2d 1040, 1044 (5th Cir.), cert. denied, 476 U.S. 1117 (1986) (citation omitted).

The information from the confidential informant that Sanders was involved in the escape attempt constituted "some evidence" in the record to support the DHO's finding of guilt. Contrary to Sanders' argument, the credibility of the confidential informant was established by the informant's record of past reliability, his degree of accuracy, and other evidence that convinced the DHO of his reliability. The district court correctly found that the DHO's determination was supported by the testimony of a confidential informant, which constituted "some evidence" under Hill. Hill, 472 U.S. at 454.

Sanders further argues that none of the evidence relied upon by the DHO was connected to him in any way. This argument is without merit. The DHO specifically stated and the record

confirms that information from the confidential informant connected Sanders to the escape attempt.

AFFIRMED.