

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 96-40399
Conference Calendar

KENNETH M. SMALL,

Plaintiff-Appellant,

versus

DEVERY W. MOONEYHAM,

Defendant-Appellee.

- - - - -
Appeal from the United States District Court
for Southern District of Texas
USDC No. CA-C-95-398
- - - - -

October 24, 1996

Before POLITZ, Chief Judge, and JOLLY and HIGGINBOTHAM, Circuit Judges.

PER CURIAM:*

Kenneth M. Small (#547619) appeals the district court's order granting Devery Mooneyham's motion for summary judgment. Small contends that Mooneyham, a disciplinary hearing captain, infringed upon his due process rights in finding him guilty of the charge of disruption of operations. Because Small has failed to raise an issue which is cognizable under 42 U.S.C. § 1983, we AFFIRM the district court's judgment. See Sandin v. Conner, 115 S. Ct. 2293, 2300 (1995).

* Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.

AFFIRMED.