

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

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No. 97-41394  
Conference Calendar

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RAMIRO GARZA,

Plaintiff-Appellant,

versus

GARY L. JOHNSON, DIRECTOR,  
TEXAS DEPARTMENT OF CRIMINAL JUSTICE,  
INSTITUTIONAL DIVISION; MICHAEL WAYNE MOORE,  
Officer; G.A. CYR; Correctional Officer,

Defendants-Appellees.

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Appeal from the United States District Court  
for the Eastern District of Texas  
USDC No. 1:96-CV-470  
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April 15, 1999

Before JONES, SMITH, and DUHÉ, Circuit Judges.

PER CURIAM:\*

Ramiro Garza, Texas prisoner # 542745, appeals the summary-judgment dismissal of his 42 U.S.C. § 1983 lawsuit asserting that he was denied due process in connection with an allegedly false disciplinary case he received for striking an officer. Garza's complaint fails to state a constitutional claim under § 1983 inasmuch as he challenges his reduced custody classification, reduced time-earning status, lost recreational privileges, or

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

reduced chance at parole. See Wilson v. Budney, 976 F.2d 957, 958 (5th Cir. 1992)(prisoners have no liberty interest in a particular custody classification); Luken v. Scott, 71 F.3d 192, 193 (5th Cir. 1995)(no liberty interest in prisoner's time-earning status); Madison v. Parker, 104 F.3d 765, 767-68 (5th Cir. 1997)(no liberty interest in lost recreation privileges and no constitutional expectancy to release on parole).

Even if it is assumed that Garza was eligible for release on mandatory supervision, was deprived of good-time credits, and was therefore entitled to due process in connection with his disciplinary hearing, the record demonstrates that due process was satisfied. See Madison 104 F.3d at 768-69; see Wolff v. McDonnell, 418 U.S. 539, 563-66 (1974). We discern no error in the district court's judgment. Accordingly, it is AFFIRMED. Garza has also filed a motion for injunctive relief, which is DENIED.

JUDGMENT AFFIRMED; MOTION DENIED.