

IN THE SUPREME COURT OF THE STATE OF DELAWARE

CHARLES M. ROBINSON,	§
	§
Defendant Below-	§ No. 454, 2006
Appellant,	§
	§
v.	§ Court Below—Superior Court
	§ of the State of Delaware,
STATE OF DELAWARE,	§ in and for New Castle County
	§ C.A. No. 05C-12-182
Plaintiff Below-	§
Appellee.	§

Submitted: November 29, 2006  
Decided: February 23, 2007

Before **BERGER, JACOBS, and RIDGELY**, Justices.

**ORDER**

This 23<sup>rd</sup> day of February 2007, upon consideration of the appellant’s opening brief and the State’s motion to affirm, it appears to the Court that:

(1) The appellant, Charles Robinson, filed this appeal from the Superior Court’s order granting summary judgment to the State on Robinson’s complaint alleging due process violations associated with a prison disciplinary hearing. The State has filed a motion to affirm the judgment below on the ground that it is manifest of the face of Robinson’s opening brief that his appeal is without merit. We agree and affirm.

(2) On November 2, 2004, Robinson was an inmate housed at the Delaware Correctional Center. He was found in possession of a shank. A

disciplinary hearing was held, and Robinson was found guilty of the violation. Robinson was placed in isolation for fifteen days. In December 2005, he filed his complaint in the Superior Court alleging that the disciplinary hearing violated his due process rights because he was not permitted to call witnesses on his behalf. The Superior Court granted summary judgment to the State on the ground that fifteen days in isolation did not constitute an infringement upon Robinson's liberty interests.<sup>1</sup> Thus, his complaint failed to state a claim upon which relief could be granted.

(3) After careful consideration of Robinson's opening brief and the State's motion to affirm, we find it manifest that the judgment below should be affirmed on the basis of the Superior Court's well-reasoned decision dated August 21, 2006. The Superior Court did not err in concluding that fifteen days in isolation did not allege an infringement of Robinson's protected liberty interests sufficient to state a claim for which relief could be granted.

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<sup>1</sup> See *Griffen v. Vaughn*, 112, F.3d 701, 704 (3d Cir. 1997) (holding that fifteen months in isolation did not create an "atypical and significant hardship on [an] inmate in relation to the ordinary incidents of prison life" in order to state a claim for a procedural due process violation).

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Jack B. Jacobs  
Justice