

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

December 12, 2011

No. 11-40215
Summary Calendar

Lyle W. Cayce
Clerk

PATRICK A. JONES,

Petitioner-Appellant

v.

JOHN B. FOX, Warden,

Respondent-Appellee

Appeal from the United States District Court
for the Eastern District of Texas
USDC No. 1:08-CV-144

Before JONES, Chief Judge, and HAYNES and GRAVES, Circuit Judges.

PER CURIAM:*

Patrick A. Jones, federal prisoner # 60763-080, was convicted of three charges related to crack cocaine and was sentenced to serve life in prison. He appeals the district court's denial of the 28 U.S.C. § 2241 habeas corpus petition he filed to challenge the collection of the \$3000 fine and \$300 special assessment he was ordered to pay in connection with his convictions. We review the district court's factual findings for clear error and issues of law de novo. *See Jeffers v. Chandler*, 253 F.3d 827, 830 (5th Cir. 2001).

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 R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR.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

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Consistent with his arguments in the district court, Jones maintains that the setting of a payment schedule for his fine and assessment by the BOP amounted to an unconstitutional delegation of the sentencing court's authority. The sentencing court ordered him to pay a certain sum as a fine and provided that this sum was to be paid immediately. *See* 18 U.S.C. 3572(d). Consequently, there was no unconstitutional delegation of judicial authority. Jones's contention that the penalties imposed upon him pursuant to the Inmate Financial Responsibility Program have constitutional significance likewise fails, as none of these punishments "imposes atypical and significant hardship on [him] in relation to the ordinary incidents of prison life." *Sandin v. Conner*, 515 U.S. 472, 483-84 (1995) (citations omitted).

AFFIRMED.