

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

GREGORY KONRATH,)	
)	
Petitioner,)	
)	CAUSE NO. 3:17-CV-51 RL
vs.)	
)	
SUPERINTENDENT,)	
)	
Respondent.)	

OPINION AND ORDER

This matter is before the Court on a habeas corpus petition filed by Gregory Konrath, a pro se prisoner, in the United States District Court for the Southern District of Indiana on January 10, 2017, which was transferred here. For the reasons set forth below, this petition is **DENIED** and the clerk is **DIRECTED** to close this case.

BACKGROUND

Gregory Konrath, a pro se prisoner, filed a habeas corpus petition challenging the prison disciplinary hearing (WCC 17-01-0090) where a disciplinary hearing officer (DHO) at the Westville Correctional Facility found him guilty of Abuse of Mail in violation of B-361 on January 9, 2017. As a result, he was sanctioned with the loss of 120 days earned credit time. Konrath raises only one ground in his petition.

DISCUSSION

He argues that he was not given 24 hours written notice with the time, date, and place of the hearing. He argues this violates State law. However, violations of State law are not a basis for habeas corpus relief. *Estelle v. McGuire*, 502 U.S. 62, 68 (1991) ("In conducting habeas review, a federal court is limited to deciding whether a conviction violated the Constitution, laws, or treaties of the United States."). Konrath also argues that this violated his due process rights. Though *Wolff v. McDonnell*, 418 U.S. 539 (1974), requires that an inmate be given 24 hour advance written notice of the factual basis of the charges against him, there is no federal constitutional due process right to be told the time, date, or place of the hearing 24 hours in advance. In this case, Konrath was notified of the factual basis of the charges against him on January 6, 2017. (DE 1-1 at 1.) The hearing was held 3 days later on January 9, 2017.

CONCLUSION

For the reasons set forth above, this petition is **DENIED** and the clerk is **DIRECTED** to close this case.

DATED: January 24, 2017

**/s/ RUDY LOZANO, Judge
United States District Court**