

Scruggs v. Jordan, 485 F.3d 934, 939 (7th Cir. 2007). In addition, there is a substantive component to the issue, which requires that the decision of a conduct board be supported by "some evidence." *Superintendent v. Hill*, 472 U.S. 445 (1985).

B.

The pleadings and the expanded record in this action challenging the prison disciplinary proceeding identified as No. WVD 13-03-005 show that petitioner Ebony Burt's due process rights were fully honored. That is, the charge was clear, adequate notice was given, and the evidence was sufficient. In addition, (1) Burt was given the opportunity to appear before the hearing officer and make a statement concerning the charge, (2) the hearing officer issued a sufficient statement of his findings, and (3) the hearing officer issued a written reason for his decision and for the sanctions imposed. Burt has not argued otherwise. His only colorable argument is that he was denied the right to call witnesses, but the record belies that claim. [Dkt. 10-2.]

C.

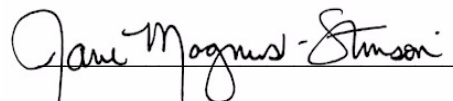
The touchstone of due process is protection of the individual against arbitrary action of the government." *Wolff*, 418 U.S. at 558. There was no arbitrary action in any aspect of the charge, disciplinary proceeding, or sanctions involved in the events identified in this action, and there was no constitutional infirmity in the proceeding which entitles Burt to the relief he seeks. His arguments that he was denied the protections afforded by *Wolff* and *Hill* are refuted by the expanded record. Accordingly, his petition for a writ of habeas corpus must be **denied**.

II.

Judgment consistent with this Entry shall now issue.

IT IS SO ORDERED.

02/20/2014


Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana

Distribution:

EBONY BURT

190370

Wabash Valley Correctional Facility

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