

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

JAMES BENNETT,

Petitioner,

v.

RICHARD IVES, WARDEN,

Respondent.

No. 3:16-cv-00355-TC

**ORDER**

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**JONES, District Judge:**

Magistrate Judge Thomas Coffin filed Findings and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Petitioner did not file objections. Nonetheless, this court reviews legal principles *de novo*. See Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983).

In this petition under 28 U.S.C. § 2241, petitioner contends the BOP wrongfully terminated him from a UNICOR job as a disciplinary sanction. I agree with the Findings and Recommendation that the habeas corpus petition relates to the conditions of petitioner's confinement and is properly construed as a civil rights complaint against federal officials pursuant to Bivens v. Six Unknown Federal Agents, 403 U.S. 388 (1971).

I also agree with the Findings and Recommendation that petitioner failed to state a claim for a constitutional violation because inmates have no due process interest in a UNICOR job. Baumann v. Arizona, 754 F.2d 841, 846 (9<sup>th</sup> Cir. 1985). In addition, petitioner did not exhaust administrative remedies with respect to his claims as required by the Prison Litigation Reform Act, 42 U.S.C. § 1997(a)(e); 18 U.S.C. § 3626(g)(2); Porter v. Nussle, 534 U.S. 516, 524-525 (2002). I adopt the Findings and Recommendation.

#### CONCLUSION

Magistrate Judge Coffin's Findings and Recommendation (#8) is adopted. The petition (#1) is dismissed.

IT IS SO ORDERED.

DATED this 4<sup>th</sup> day of January, 2017.

  
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ROBERT E. JONES  
U.S. DISTRICT JUDGE