

**MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

TIMOTHY RAINEY		
Plaintiff,		
v.		No. 3:17-cv-0880
		Judge Trauger
CORE CIVIC, et al.		
Defendants.		

MEMORANDUM

The plaintiff, proceeding *pro se*, is an inmate at the South Central Correctional Center (“SCCC”) in Clifton, Tennessee. He brings this action pursuant to 42 U.S.C. § 1983 against Core Civic, the corporate entity that operates SCCC; Eric Bryant, the Warden at SCCC; and two members of the SCCC staff; seeking injunctive and monetary relief.

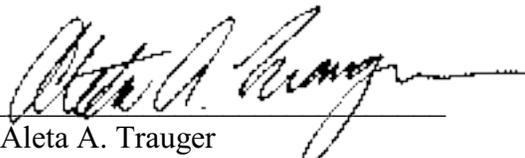
The plaintiff was recommended for enrollment in an HVAC vocational program. That type of program, however, is not available at plaintiff’s present place of confinement. The plaintiff has made several requests for a transfer to a facility that offers the HVAC vocational program. To his chagrin, the defendants have been either unwilling or unable to arrange such a transfer. The plaintiff claims that the defendants have kept him “from receiving the education and programs he needs to make parole.” Docket Entry No. 1 at pg. 3.

To establish a claim for § 1983 relief, the plaintiff must plead and prove that the defendants, while acting under color of state law, deprived him of a right guaranteed by the Constitution or laws of the United States. Parratt v. Taylor, 451 U.S. 527, 535 (1981).

A prisoner has no federally protected right to participate in rehabilitative or educational programs. Rizzo v. Dawson, 778 F.2d 527, 531 (9th Cir. 1985)(a prisoner has no right to rehabilitation); *see also* Ladd v. Turney, 2011 WL 252953 at pg. 2 (M.D. Tenn.). Thus, in the absence of a constitutional deprivation, the plaintiff is unable to prove every element of a § 1983 cause of action. The plaintiff, therefore, has failed to state a claim upon which relief can be granted.

When a prisoner proceeds as a pauper and fails to state a claim upon which relief can be granted, the Court is obliged to dismiss the instant action *sua sponte*. 28 U.S.C. § 1915(e)(2).

An appropriate order will be entered.



Aleta A. Trauger
United States District Judge