

NOT DESIGNATED FOR PUBLICATION

STATE OF LOUISIANA

COURT OF APPEAL

FIRST CIRCUIT

2009 CA 2101

MARVIN T. ADGER

VERSUS

**VENETIA T. MICHAEL, WARDEN,
DAVID WADE CORRECTIONAL CENTER,
AND JAMES M. LEBLANC, SECRETARY,
DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONS, STATE OF LOUISIANA**

RHP by JMM
JEK by JMM
JMM

**On Appeal from the 19th Judicial District Court
Parish of East Baton Rouge, Louisiana
Docket No. 567,410, Section 27
Honorable Todd W. Hernandez, Judge Presiding**

**Marvin T. Adger
Homer, LA**

**Plaintiff-Appellant
In Proper Person**

**Susan Wall Griffin
Baton Rouge, LA**

**Attorney for
Defendant-Appellee
James M. LeBlanc, Secretary,
Department of Public Safety
and Corrections**

BEFORE: PARRO, KUHN, AND McDONALD, JJ.

Judgment rendered JUN 04 2010

PARRO, J.

Marvin T. Adger, an inmate, appeals the judgment of the district court, affirming the decision of the Louisiana Department of Public Safety and Corrections and dismissing his petition for judicial review with prejudice. On appeal, the inmate sought reversal of the judgment based on the district court's alleged error in failing to enforce a "contract agreement" regarding the forfeiture of good time earned.¹ After a thorough review of the record and relevant law and jurisprudence,² we find that the district court's reasons for judgment, as set forth in the commissioner's recommendation, adequately explain the decision. As the issue involves no more than an application of well-settled rules to a recurring fact situation, we affirm the judgment in accordance with URCA Rule 2-16.2(A)(2), (4), (5), (6), and (8). All costs of this appeal are assessed against the inmate-appellant.³

AFFIRMED.

¹ The inmate's claim was for breach of contract based on an alleged violation of the "Good Time Rate Option and Approval Form" that the inmate signed on October 15, 1997.

² See LSA-R.S. 15:571.4(B)(4); Bancroft v. Louisiana Dept. of Corrections, 93-1135 (La. App. 1st Cir. 4/8/94), 635 So.2d 738, 741.

³ Although the inmate's suit was brought in forma pauperis, the costs of an unsuccessful appeal may be assessed against him. See Hull v. Stalder, 00-2730 (La. App. 1st Cir. 2/15/02), 808 So.2d 829, 833 n.3; see also LSA-C.C.P. art. 5188.