

IN THE COURT OF APPEALS OF THE
STATE OF OREGON

JEFFREY G. SHARP,
Petitioner,

v.

BOARD OF PAROLE
AND POST-PRISON SUPERVISION,
Respondent.

Board of Parole and Post-Prison Supervision
A167160

Submitted August 3, 2018.

Jeffrey Sharp filed the briefs *pro se*.

Ellen F. Rosenblum, Attorney General, Benjamin Gutman, Solicitor General, and Keith L. Kutler, Assistant Attorney General, filed the brief for respondent.

Before Hadlock, Presiding Judge, and DeHoog, Judge, and Aoyagi, Judge.

PER CURIAM

OAR 255-032-0005(2) held valid.

PER CURIAM

Under ORS 183.400, petitioner challenges OAR 255-032-0005(2), a rule adopted by the Board of Parole and Post-Prison Supervision, asserting that the rule is invalid because it violates two constitutional provisions. *See* ORS 183.400(4) (court shall declare a rule invalid only if the rule violates constitutional provision, exceeds the statutory authority of the agency that adopted the rule, or was adopted without compliance with applicable rulemaking procedures). Having reviewed the parties' arguments, we reject petitioner's contentions and conclude that the challenged rule is valid.

OAR 255-032-0005(2) held valid.