

August 2, 2022

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

In the Matter of the Personal Restraint of:

No. 56750-4-II

DINO CONSTANCE,

Petitioner.

ORDER DISMISSING PETITION

Dino Constance, an inmate formerly housed in G-Unit, a minimum security housing unit at Coyote Ridge Corrections Center, seeks an injunction prohibiting the Department of Corrections from closing G-Unit and moving the inmates housed therein to a medium security housing unit. The Department has closed another minimum security housing unit, F-Unit, and moved the inmates housed therein to a medium security housing unit. Constance speculates that the Department will do the same with G-Unit. But the Department states that it does not plan to close G-Unit.¹ Even if it did, Constance does not have a liberty interest or due process right to be housed in a particular unit. *In re Pers. Restraint of Matteson*, 142 Wn.2d 298, 310-11, 314-15, 12 P.3d 585 (2000); *In re Pers. Restraint of Dowell*, 100 Wn.2d 770, 773, 674 P.2d 666 (1984). Constance does not present any evidence of unlawful restraint. Accordingly, it is hereby

¹ Constance's move from G-Unit to a medium security housing unit, which occurred after he filed this petition, was the result of a major disciplinary infraction for assaulting his cellmate, not a closure of G-Unit.

ORDERED that Constance's petition is dismissed as frivolous under RAP 16.11(b). His motion for appointment of counsel is denied.



Acting Chief Judge Pro Tempore

cc: Dino Constance
Michelle M. Young