

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION II

In re the
Personal Restraint Petition of

JASON K. WHITE,

Petitioner.

No. 47182-5-II

ORDER DISMISSING PETITION

FILED
COURT OF APPEALS
DIVISION II
2015 AUG 13 AM 11:26
STATE OF WASHINGTON
BY DEPUTY

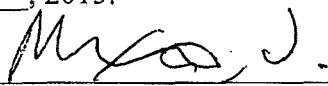
Jason K. White seeks relief from administrative segregation imposed following the Department of Corrections' determination that he had violated WAC 137-25-030(508) by throwing an object at a member of the prison staff. He claims that the sanctions violated his constitutional right to due process.

To be entitled to relief for a due process violation, a prisoner must show that a protected liberty interest is at issue. *Sandin v. Conner*, 515 U.S. 472, 483-84 (1995); *Wolff v. McDonell*, 418 U.S. 539, 556-57 (1974). But a prisoner has no liberty interest regarding a decision to place him in administrative segregation. *Smith v. Noonan*, 992 F.2d 987 (9th Cir. 1993); *see also Hewitt v. Helms*, 459 U.S. 460, 468, 103 S. Ct. 864, 869-70, 74 L. Ed. 2d 675 (1983); *In re Pers. Restraint of Gronquist*, 138 Wn.2d 388, 401, 978 P.2d 1083 (1999); *In re Pers. Restraint of Dowell*, 100 Wn.2d 770, 773, 674 P.2d 666 (1984); *In re Pers. Restraint of Galvez*, 79 Wn. App. 655, 657, 904 P.2d 790 (1995). Therefore, the Department's disciplinary action did not implicate White's right to due process, and White fails to show unlawful restraint. Accordingly, it is hereby

Sum
John

ORDERED that this petition is dismissed under RAP 16.11(b).

DATED this 13th day of August, 2015.



Acting Chief Judge

cc: Jason K. White
Kitsap County Cause No(s). 13-1-00147-9
Department of Corrections
Jean E. Meyn