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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>ADONAI EL-SHADDAI, a.k.a. Wilkerson,</p> <p style="text-align: center;">Plaintiff - Appellant,</p> <p style="text-align: center;">v.</p> <p>JEANNE WOODFORD; et al.,</p> <p style="text-align: center;">Defendants - Appellees.</p>
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No. 07-16415

D.C. No. CV-06-00122-RRB

MEMORANDUM \*

Appeal from the United States District Court  
for the Eastern District of California  
Ralph R. Beistline, District Judge, Presiding

Submitted December 17, 2008\*\*

Before: GOODWIN, WALLACE and RYMER, Circuit Judges.

Adonai El-Shaddai, a California state prisoner, appeals pro se from the district court's summary judgment for defendants in his 42 U.S.C. § 1983 action

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The panel unanimously finds this case suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

alleging that prison officials confiscated and destroyed his personal property in violation of his constitutional rights. We have jurisdiction pursuant to 28 U.S.C. § 1291. We review de novo a district court's grant of summary judgment, *Toguchi v. Chung*, 391 F.3d 1051, 1056 (9th Cir. 2004), and we affirm.

The district court properly granted summary judgment because El-Shaddai failed to raise a triable issue of material fact as to whether the prison's inmate property policy violated his constitutional rights. *See Turner v. Safley*, 482 U.S. 78, 89-90 (1987) (explaining that a prison regulation that impinges on an inmate's First Amendment rights is valid if it is reasonably related to legitimate penological interests); *Hudson v. Palmer*, 468 U.S. 517, 525-26 (1984) (stating that prisoners have no Fourth Amendment right of privacy in their prison cells); *Sandin v. Conner*, 515 U.S. 472, 483-84 (1995) (holding that a liberty interest is created if the deprivation "imposes an atypical and significant hardship on the inmate in relation to the ordinary incidents of prison life.").

Further, El-Shaddai cannot establish a section 1983 claim for intentional deprivation of property without due process of law, because California law provides an adequate post-deprivation remedy. *See Hudson*, 468 U.S. at 533 (holding that a prisoner cannot state a constitutional claim for deprivation of a property interest where the state provides an adequate post-deprivation remedy);

*Barnett v. Centoni*, 31 F.3d 813, 816-17 (9th Cir. 1994) (per curiam) (“California law provides an adequate post-deprivation remedy for any property deprivations.”).

El-Shaddai’s remaining contentions are unpersuasive.

**AFFIRMED.**