

JAN 23 2009

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>ANTHONY JACKSON,</p> <p>Petitioner - Appellant,</p> <p>v.</p> <p>CHARLES A. DANIELS, Warden at F.C.I. Sheridan,</p> <p>Respondent - Appellee.</p>
--

No. 07-35625

D.C. No. CV-06-01477-MFM

MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Malcolm F. Marsh, District Judge, Presiding

Submitted January 13, 2009**

Before: O'SCANNLAIN, BYBEE, and CALLAHAN, Circuit Judges.

Federal prisoner Anthony Jackson appeals from the district court's judgment dismissing his 28 U.S.C. § 2241 petition. We have jurisdiction pursuant to

* 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).

28 U.S.C. § 2253, and we affirm.

Jackson contends that his prison disciplinary proceedings, which resulted in the loss of 27 days of good-time credits, violated his due process rights because he did not receive advance written notice of the particular disciplinary code provision that he was ultimately convicted of violating. We find no due process violation because the incident report Jackson received described the factual situation that was the basis for the charge and “adequately performed the functions of notice” articulated in *Wolff v. McDonnell*, 418 U.S. 539, 564 (1974). See *Bostic v. Carlson*, 884 F.2d 1267, 1270-71 (9th Cir. 1989).

AFFIRMED.