

[NOT FOR PUBLICATION-NOT TO BE CITED AS PRECEDENT]

United States Court of Appeals For the First Circuit

No. 00-1852

JESUS MIRANDA-GONZALEZ,

Plaintiff, Appellant,

v.

J. L. GARCIA,

Defendant, Appellee.

APPEAL FROM THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF PUERTO RICO

[Hon. Juan M. Pérez-Giménez, U.S. District Judge]

Before

Selya, Circuit Judge,
Campbell and Stahl, Senior Circuit Judges.

Jesus Miranda-Gonzalez on brief pro se.
Guillermo Gil, United States Attorney, Jorge E. Vega-Pacheco, Assistant United States Attorney, and Nelson Perez-Sosa, Assistant United States Attorney, on brief for appellee.

June 27, 2001

Per Curiam. The district court dismissed the habeas petition filed by Jesus Miranda-Gonzalez under 28 U.S.C. § 2241 and petitioner has appealed. After carefully reviewing the record and the briefs of the parties, we affirm the judgment of the district court for essentially the reasons stated in the magistrate judge's Report and Recommendation and in the district judge's Opinion and Order. Specifically, petitioner's double jeopardy argument is meritless because the Double Jeopardy Clause does not apply in prison disciplinary proceedings. Any due process argument also lacks merit because, even assuming, without deciding, that petitioner possessed some kind of liberty interest, he received all the process he was due under Wolff v. McDonnell, 418 U.S. 539 (1974).

Affirmed. See Local Rule 27(c).