

Prison grievance and misconduct decisions are not subject to judicial review unless the case involves a constitutional right not limited by the Department of Corrections. *Weaver v. Dep't of Corr.*, 829 A.2d 750 (Pa. Cmwlth. 2003). The Due Process Clause does not protect every change in the conditions of confinement; procedural defects lack legal significance in the absence of any protectable interest. *Sandin v. Conner*, 515 U.S. 472 (1995). Confinement in restricted custody does not impose an atypical and significant hardship in relation to ordinary prison life that would give rise to a protected liberty interest. *Griffin v. Vaughn*, 112 F.3d 703 (3d Cir. 1997); *Singleton v. Lavan*, 834 A.2d 672 (Pa. Cmwlth. 2003); *Brown v. Blaine*, 833 A.2d 1166 (Pa. Cmwlth. 2003). Discipline by prison officials in response to prison misconduct falls within the expected parameters of the sentence imposed. *Sandin*.

Department of Corrections policy DC-ADM 801 does not create any enforceable rights in any inmate. *Weaver*. The Constitution does not require strict adherence to administrative regulation and guidelines. *Luckett v. Blaine*, 850 A.2d 811 (Pa. Cmwlth. 2004).

Petitioner's averments challenging the conditions of his confinement in the RHU fail to state a claim for violation of the Eighth Amendment, *see Farmer v. Brennan*, 511 U.S. 825 (1994), or for a violation of his right of access to the courts, *Lewis v. Casey*, 518 US. 343 (1996).

Certified from the Record

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And Order Exit