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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>EARNEST CASSELL WOODS, II,</p> <p>Petitioner - Appellant,</p> <p>v.</p> <p>TOM L. CAREY,</p> <p>Respondent - Appellee.</p>

No. 07-15589

D.C. No. CV-04-02245-LKK

MEMORANDUM*

Appeal from the United States District Court
for the Eastern District of California
Lawrence K. Karlton, District Judge, Presiding

Submitted March 16, 2010**

Before: SCHROEDER, PREGERSON, and RAWLINSON, Circuit Judges.

California state prisoner Earnest Cassell Woods, II appeals pro se from the district court’s judgment dismissing his 28 U.S.C. § 2254 habeas petition challenging a prison disciplinary proceeding. We have jurisdiction pursuant to 28

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

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

U.S.C. § 2253, and we affirm.

Woods contends that the district court erred by dismissing his petition for lack of jurisdiction. This contention lacks merit because Woods has not demonstrated that the expungement of his disciplinary violation is likely to accelerate his release from prison. *See Ramirez v. Galaza*, 334 F.3d 850, 859 (9th Cir. 2003).

AFFIRMED.