

**NONPRECEDENTIAL DISPOSITION**

To be cited only in accordance with FED. R. APP. P. 32.1

**United States Court of Appeals**

**For the Seventh Circuit**

**Chicago, Illinois 60604**

Submitted September 20, 2024\*

Decided September 20, 2024

**Before**

FRANK H. EASTERBROOK, *Circuit Judge*

ILANA DIAMOND ROVNER, *Circuit Judge*

JOSHUA P. KOLAR, *Circuit Judge*

No. 23-1911

JAMAAL CHARLES,  
*Plaintiff-Appellant,*

*v.*

DEANNA BROOKHART, et al.,  
*Defendants-Appellees.*

Appeal from the United States District  
Court for the Southern District of  
Illinois.

No. 23-cv-422-MAB

Mark A. Beatty,  
*Magistrate Judge.*

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\* The appellees were not served with process and are not participating in this appeal. We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

**ORDER**

Jamaal Charles, an Illinois prisoner, appeals the judgment dismissing his action under 42 U.S.C. § 1983 that challenged the constitutionality of his prison disciplinary proceedings. The district court dismissed the complaint for failing to state a claim because the discipline he received—demotion of status and restrictions on visitation privileges—did not deprive him of a constitutionally protected liberty interest. For the same reason, we affirm.

We construe Charles's pro se complaint liberally and assume the truth of his allegations, as supplemented by prison records he attached. *See Otis v. Demarasse*, 886 F.3d 639, 644 (7th Cir. 2018). This case involves two disciplinary proceedings against Charles. The first proceeding, in May 2021, concerned a charge that he had violated prison rules by possessing alcohol in his cell. Two officers, Shanae Gillenwater and Darren Williams, conducted a hearing on the charge, found Charles guilty, and recommended that he receive a 3-month demotion to C-Grade status (which involves restrictions on phone privileges, commissary visits, work assignments, and gym privileges) and a 6-month restriction on visitation privileges. A third officer, Deanna Brookhart, accepted the recommendation and disciplined Charles. At a second disciplinary proceeding in December, Charles was again found guilty of possessing alcohol. For this violation, he was demoted to C-Grade status for a month.

Charles then brought this § 1983 suit against the officers involved in his disciplinary proceedings, alleging that they disciplined him without any evidence or justification, in violation of the Due Process Clause of the Fourteenth Amendment. He also alleged that the defendants' actions were part of a larger pattern or practice of disciplining prisoners without any evidence. *See Monell v. Dep't of Soc. Servs.*, 426 U.S. 658 (1978).

A magistrate judge, presiding by consent under 28 U.S.C. § 636(c), screened Charles's complaint, 28 U.S.C. § 1915A, and dismissed it. The judge ruled that the complaint failed to state a claim for relief because the allegations of restrictive privileges and demotion of status do not affect a liberty interest requiring the protections of the Due Process Clause. As for the *Monell* claim, the judge concluded that Charles could not proceed on a theory of liability because the defendants were employees of the state of Illinois, not a municipality.

On appeal, Charles renews his contention that the prison officials violated his due-process rights by disciplining him without evidence. (He does not mention the *Monell* claim against the prison officials, so we say nothing further about it.) We agree with the magistrate judge that Charles's allegations do not implicate a protected liberty interest. Such an interest exists when the punishment would impose an "atypical and significant hardship ... in relation to the ordinary incidents of prison life." *Sandin v. Conner*, 515 U.S. 472, 484 (1995). Here, the hardships that Charles would experience because of the disciplinary actions—a demotion in offender grade and restrictions on visitation privileges—are not atypical and significant. See *Hoskins v. Leneer*, 395 F.3d 372, 375 (7th Cir. 2005) (no federally protected liberty interest implicated by prisoner's demotion to C-grade status (which included a loss in privileges), two months in segregation, and recommendation for transfer to another facility).

AFFIRMED