

NONPRECEDENTIAL DISPOSITION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 June 30, 2026*

Decided June 30, 2026

*Before*THOMAS L. KIRSCH II, *Circuit Judge*JOHN Z. LEE, *Circuit Judge*DORIS L. PRYOR, *Circuit Judge*

No. 25-2692

CHARLES E. JUSTISE, SR.,
Petitioner-Appellant,

v.

RON NEAL,
Respondent-Appellee.

Appeal from the United States District
Court for the Southern District of
Indiana, Indianapolis Division.

No. 1:23-cv-00877-RLY-CSW

Richard L. Young,
Judge.

ORDER

Charles Justise, Sr., an Indiana prisoner, appeals the denial of his petition for a writ of habeas corpus, *see* 28 U.S.C. § 2254, in which he challenged the constitutionality of his prison disciplinary proceeding. We affirm.

* 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).

In his petition, Justise alleged that a conduct report filed against him did not support the offense. The details are confusing, but he appears to challenge a conduct report that charged him with submitting a grievance in which he threatened to harm a fellow prisoner if he (Justise) were returned to the prison's general population. In Justise's view, his grievance complained not that he made such a threat but that a prison officer disregarded his threat. In other words, there was no threat made in the grievance.

A disciplinary hearing officer at New Castle Correctional Facility in Indiana found Justise guilty of making threats. *See* IND. DEP'T OF CORR., ADULT DISCIPLINARY PROCESS, APPENDIX I: OFFENSES, at 6 (Mar. 1, 2020). The hearing officer sanctioned Justise with a 30-day loss of good-time credits. Justise exhausted his administrative remedies by pursuing appeals that were denied.

Justise then petitioned for a writ of habeas corpus, alleging that his due process rights were violated because the finding of guilt was not supported by an adequate factual basis. Justise argued that the grievance he wrote contained no threat, so there was no evidence of his guilt. The warden responded that some evidence supported the finding of guilt because Justise wrote in his grievance, "I made a threat to [the guard] that I was going to beat up another offender." Also, at one point in the hearing, Justise said, "I admit I made a threat." The district court denied Justise's petition because the grievance, the conduct report, and his statement at the hearing provided some evidence of guilt.

On appeal, Justise argues that the district court misunderstood his grievance. He maintains that he did not make a threat in his grievance and was merely reporting an officer who failed to write him up.

The district court correctly determined that "some evidence" supports the disciplinary decision. "[T]he requirements of due process are satisfied if some evidence supports the decision by the prison disciplinary board to revoke good time credits." *Superintendent, Mass. Corr. Inst. v. Hill*, 472 U.S. 445, 455 (1985). This is a "lenient" standard, requiring only a "modicum of evidence." *Hawkins v. Sevier*, 169 F.4th 749, 753 (7th Cir. 2026) (internal citation omitted). Here, the hearing officer's decision was supported by Justise's admission at the hearing that he "made a threat"; his statement in his grievance that "I want it logged that I threatened an offender's safety"; and the

No. 25-2692

Page 3

conduct report, which charged him with making a threat in his grievance. This evidence was sufficient to find him guilty.

AFFIRMED