

Commonwealth Of Kentucky

Court of Appeals

NO. 2002-CA-001532-MR

DAVID A. WILLIAMS

APPELLANT

v. APPEAL FROM OLDHAM CIRCUIT COURT
HONORABLE PAUL W. ROSENBLUM, JUDGE
ACTION NO. 02-CI-00196

KENTUCKY DEPARTMENT OF
CORRECTIONS

APPELLEE

OPINION

AFFIRMING

** ** * * *

BEFORE: BUCKINGHAM, DYCHE, AND JOHNSON, JUDGES.

DYCHE, JUDGE. David Williams appeals from an order of the Oldham Circuit Court dismissing his petition for declaration of rights (KRS 418.040 *et seq.*) as being barred by the statute of limitations. We affirm.

Williams's petition sought relief for alleged violations of his Equal Protection and Due Process rights under the Fourteenth Amendment to the United States Constitution. The

violations allegedly occurred during a prison disciplinary action in 1987. Williams was subject of the action, being accused of sexually assaulting another inmate. As a result of the action, he was subjected to 60 days disciplinary segregation, and lost 360 days of "good time" ("Credit on sentence for Good Conduct . . . ," KRS 197.045).

This action was initiated in 2002. The period of limitations applicable is one year. *Wilson v. Garcia*, 471 U.S. 261 (1985); *Board of Trustees of University of Kentucky v. Hayse*, Ky., 782 S.W.2d 609 (1989). Williams's action was time barred. The order of the Oldham Circuit Court is affirmed.

ALL CONCUR.

BRIEF FOR APPELLANT:

NO BRIEF FOR APPELLEE

David Williams, *Pro Se*
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