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This opinion shall not "constitute precedent or be binding upon any court." Although it is posted on the internet, this opinion is binding only on the parties in the case and its use in other cases is limited. R. 1:36-3.

**SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-2101-20**

EDDIE MAGALLANES,

Appellant,

v.

**NEW JERSEY DEPARTMENT
OF CORRECTIONS,**

Respondent.

Submitted April 5, 2022 – Decided April 14, 2022

Before Judges Fisher and Currier.

On appeal from the New Jersey Department of Corrections.

Eddie Magallanes, appellant pro se.

Matthew J. Platkin, Acting Attorney General, attorney for respondent (Jane C. Schuster, Assistant Attorney General, of counsel; Suzanne Davies, Deputy Attorney General, on the brief).

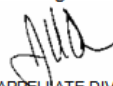
PER CURIAM

At a disciplinary hearing, appellant Eddie Magallanes, a prison inmate in the custody of the Department of Corrections, was found by a hearing officer to have assaulted a person with a weapon, N.J.A.C. 10A:4-4.1(a) (*.003). In ruling on appellant's administrative appeal, the Department sustained the hearing officer's determination.

In appealing to this court, appellant reprises the argument posed in his administrative appeal that the phone he threw through a food port in his cell door was not a weapon. We find insufficient merit in this contention, as well as appellant's argument that "the finding of guilt is not supported by substantial evidence in the record," to warrant further discussion in a written opinion. R. 2:11-3(e)(1)(E). A weapon within the meaning of *.003 can be anything "capable of . . . inflicting serious bodily injury." N.J.A.C. 10A:1-2.2.

Affirmed.

I hereby certify that the foregoing
is a true copy of the original on
file in my office.



CLERK OF THE APPELLATE DIVISION