UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

VICTOR CHARLES FOURSTAR, JR.,
Petitioner,
v.
PAUL COPENHAVER, Warden,

Respondent.

No. 1:14-cv-01456-SKO HC

ORDER DENYING MOTION TO ALTER OR AMEND JUDGMENT

(Doc. 44)

Petitioner Victor Charles Fourstar, Jr., is a federal prisoner whose petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 was denied on June 30, 2016.¹ Petitioner moves, pursuant to F.R.Civ.P. 59(e), to alter or amend the judgment denying the petition to a dismissal without prejudice that will permit him to continue to pursue his claims. Petitioner contends the Supreme Court's recent decision in *Williams v. Pennsylvania*, 136 S.Ct. 1899 (2016), establishes a new basis for habeas relief.

The *Williams* holding has no application to the petition in the above-captioned matter, which addressed various disciplinary actions against Petitioner during his confinement. The issue addressed in *Williams* was whether recusal was required of a State Supreme Court judge who, while he was a District Attorney, had authorized bringing capital charges against Williams.

Petitioner's argument is based on the Montana District Court proceedings that led to his

¹ Pursuant to 28 U.S.C. § 636(c)(1), both parties consented, in writing, to the jurisdiction of a United States Magistrate Judge to conduct all further proceedings in this case, including the entry of final judgment.

1	conviction and sentencing to federal prison, not to any of the disciplinary proceedings addressed	
2	in this action.	
3	Based on the foregoing, Petitioner's motion to alter or amend the judgment pursuant to	
4	F.R.Civ.P. 59(e) is hereby DENIED.	
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7	IT IS SO ORDERED.	
8	Dated: <u>July 26, 2016</u>	s Sheila K. Oberto
9		UNITED STATES MAGISTRATE JUDGE
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