1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF CALIFORNIA 10 11 VASILIS SAKELLARIDIS, 1:14-cv-01527-LJO-GSA-HC 12 Petitioner, ORDER DIRECTING PETITIONER TO LODGE DOCUMENTS WITH THE CLERK OF COURT 13 v. 14 DAVE DAVEY, Warden, 15 Respondent. 16 17 Petitioner is a state prisoner proceeding pro se in a habeas corpus action pursuant to 28 U.S.C. § 2254. 18 19 On September 24, 2014, Petitioner filed a petition for writ of habeas corpus in this Court. (ECF No. 1). On December 22, 2014, Respondent filed a motion to dismiss the petition. (ECF 20 No. 14). On January 5, 2015, Petitioner filed his opposition to Respondent's motion to dismiss. 21 22 (ECF No. 15). On January 12, 2014, Respondent filed his reply to Petitioner's opposition. 23 In his motion to dismiss, Respondent argues that federal habeas jurisdiction is lacking 24 because the ninety days of credit that Petitioner lost for the challenged disciplinary proceeding 25 on disciplinary action Log # 3C-13-05-004 were restored to him. Petitioner argues that there is 26 jurisdiction because the challenged disciplinary conviction rendered him ineligible for restoration 27 of 90 days of previously forfeited good time credit on Log # 3C-13-04-021. Petitioner also 28 argues that there is jurisdiction because he was placed in workgroup C for 180 days as a result of

the challenged disciplinary conviction, and that rendered him unable to earn good time credits for that time period.

Upon a review of the record, the Court notes that it does not have sufficient documentation to determine whether Petitioner would be eligible to have the ninety days of credit lost on the previous, unrelated disciplinary action, restored if this Court grants habeas relief to Petitioner on the challenged disciplinary conviction. Therefore, the Court requires further documentation before it can render a decision on whether this Court has jurisdiction on the petition for habeas corpus.

Accordingly, it is HEREBY ORDERED that Petitioner is DIRECTED to lodge the following documents with the Clerk of Court within **THIRTY (30) days** of the date of service of this Order:

- The CDCR Form 958, Application for Inmate's Restoration of Credits, for Petitioner's Rules Violation Report (RVR) on Log #3C-13-04-021, that he filed with his caseworker.
 If Petitioner did not file a CDC Form 958 for the RVR on Log #3C-13-04-021, he is DIRECTED to explain why he did not submit the Form;
- 2. The CDCR Form 115, RVR, on Log #3C-13-04-021;
- 3. Any administrative appeals relative to RVR on Log # 3C-13-04-021;
- 4. Any habeas petitions filed regarding RVR on Log #3C-13-04-021; and
- 5. Any orders on habeas petitions filed regarding RVR on Log #3C-13-04-021.

20 IT IS SO ORDERED.

Dated: February 18, 2015 /s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE