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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRIAN DARNELL EDWARDS,

Petitioner,

No. CIV S-10-1124 WBS EFB P

vs.

F.B. HAWS, Warden,

Respondent.

ORDER

_____ /

Petitioner is a state prisoner without counsel seeking a writ of habeas corpus. *See* 28 U.S.C. § 2254. Petitioner seeks leave to proceed *in forma pauperis*. He makes the required showing. Therefore, the request is granted. *See* 28 U.S.C. § 1915(a).

Currently pending before the court is petitioner’s application for a writ of habeas corpus. A district court must entertain a habeas petition “in behalf of a person in custody pursuant to the judgment of a State court only on the ground that he is in custody in violation of the Constitution or laws or treaties of the United States.” 28 U.S.C. § 2254(a).

Petitioner argues that several rules violation reports that he received while incarcerated were imposed in violation of his due process rights. But petitioner has not alleged that the rules violation report extended the length of his sentence, for example, through the loss of time credits.

///

1 Unless the incident in question affected the duration of his sentence, petitioner is not entitled to
2 relief under § 2254.

3 Accordingly, it is hereby ORDERED that within 30 days of the date of this order,
4 petitioner shall show cause why his claims should not be dismissed as not cognizable under
5 § 2254. Failure to comply with this order will result in a recommendation that this action be
6 dismissed.

7 Dated: October 8, 2010.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE

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