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

CHARLES C. JAMES,

Petitioner,

No. 2:12-cv-1754 CKD P

vs.

V. SINGH,

Respondent.

ORDER

_____ /

Petitioner, a state prisoner proceeding pro se, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, together with an application to proceed in forma pauperis.

Examination of the in forma pauperis application reveals that petitioner is unable to afford the costs of suit. Accordingly, the application to proceed in forma pauperis will be granted. See 28 U.S.C. § 1915(a)

In his habeas petition, petitioner challenges dispositions from two separate prison disciplinary proceedings. However, petitioner may only challenge one disciplinary proceeding per habeas action. See Rule 2(e), Rules Governing Section 2254 Cases (habeas petitioner may challenge judgment of only one state court per habeas petition); Crane v. McDonald, No. CIV-S-09-1511 DAD P, 2010 WL 3633616, at *3 (E.D. Cal., Nov. 18, 2010) (habeas petitioner may not

1 challenge two parole proceedings in same action); Melchhionne v. Tilton, No. 1:08-cv-00116
2 OWW DLB HC, 2008 WL 608385, at *2 (E.D. Cal. March 4, 2008) (habeas petitioner must file
3 three different actions to challenge prison disciplinary proceedings, denial of parole and
4 conviction).

5 In light of the foregoing, petitioner's original habeas petition will be dismissed.
6 Petitioner will be granted leave to submit an amended petition in which petitioner challenges
7 either of the disciplinary proceedings addressed in his original petition, but not both. If petitioner
8 wishes to challenge other disciplinary proceedings, he must initiate a separate action. Failure to
9 file an amended petition which complies with this order will result in a recommendation that this
10 action be dismissed.

11 Accordingly, IT IS HEREBY ORDERED that:

- 12 1. Petitioner's motion for leave to proceed in forma pauperis is granted;
- 13 2. Petitioner's application for writ of habeas corpus is dismissed;
- 14 3. The Clerk of the Court is directed to send petitioner the court's form-
15 application for writ of habeas corpus by state prisoners; and
- 16 4. Petitioner is granted thirty days within which to file an amended petition for
17 writ of habeas corpus on the form provided by the Clerk of the Court. In the amended petition
18 petitioner may challenge only one disposition from prison disciplinary disposition.

19 Dated: July 13, 2012

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21 CAROLYN K. DELANEY
22 UNITED STATES MAGISTRATE JUDGE
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