UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

REBIO RONNIE TOWNSEND,   No. 2:13-cv-0859 GEB GGH P

    Petitioner,

    v.   ORDER

AUDREY KING,

    Respondent.

Petitioner, a state prisoner proceeding pro se with a habeas corpus petition, has filed a

document styled, "motion: subpoena to call expert witness against Mr. Townsend to explain

function of psychotropic medication and it[]s proper effects; which Dr. Gill does not know." The

filing contains allegations exclusively pertaining to the conditions of petitioner's confinement,

such as prison authorities forcing him to take psychotropic medication, garbage accumulation in

the cell, and lack of water in the cell, to name a few examples.

> Federal law opens two main avenues to relief on complaints related
> to imprisonment: a petition for habeas corpus, 28 U.S.C. § 2254,
> and a complaint under the Civil Rights Act of 1871, Rev. Stat.
> 1979, as amended, 42 U.S.C. § 1983.   Challenges to the validity of
> any confinement or to particulars affecting its duration are the
> province of habeas corpus, Preiser v. Rodriguez, 411 U.S. 475, 500,
> 93 S.Ct. 1827, 36 L.Ed.2d 439 (1973); requests for relief turning on
> circumstances of confinement may be presented in a 1983 action.

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1 | Muhammad v. Close, 540 U.S.749, 750, 124 S. Ct. 1303, 1304 (2004) (per curiam).

2 | The complaints raised in the instant motion pertain to the conditions of petitioner's

3 | confinement and are not related to his current habeas petition. Therefore, petitioner is advised

4 | that if he intends to proceed with such allegations, he must open a new civil rights action by filing

5 | a complaint.

6 | Accordingly, IT IS HEREBY ORDERED that: Petitioner's motion, filed June 30, 2014,

7 | (ECF No. 31), is denied.

8 | Dated: July 7, 2014

9 | /s/ Gregory G. Hollows

10 | UNITED STATES MAGISTRATE JUDGE

14 | GGH:076/Town0859.cr