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**United States District Court**  
For the Northern District of California

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

TERRY RAY HAWES,  
Plaintiff,

No. C 11-4363 WHA (PR)  
**ORDER OF DISMISSAL**

vs.

SOCIAL SECURITY  
ADMINISTRATION,  
Defendant.

Plaintiff, a California prisoner proceeding pro se, has filed a civil rights complaint under 42 U.S.C. 1983. He is granted leave to proceed in forma pauperis in a separate order.

The complaint must be dismissed for two reasons. First, plaintiff seeks to be released from custody, a form of relief that may only be obtained in federal court by way of a petition for a writ of habeas corpus under 28 U.S.C. 2254. *See Skinner v. Switzer*, 131 S. Ct. 1289, 1293 (2011) (habeas is the “exclusive remedy” for the prisoner who seeks “immediate or speedier release” from confinement); *see Docken v. Chase*, 393 F.3d 1024, 1026 (9th Cir. 2004) (challenges implicating the fact or duration of confinement must be brought in a habeas petition). Second, plaintiff sues the Social Security Administration for failing to provide him the name of a doctor, whom plaintiff claims “knew” that plaintiff would not receive a fair criminal trial. Such a claim presents no cognizable grounds for his release from custody on a

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state court conviction.

Consequently, the instant action is **DISMISSED**. The clerk shall enter judgment and close the file.

**IT IS SO ORDERED.**

Dated: September 29, 2011.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE