

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

CINDY BOSKOFKY,

Petitioner,

v.

CASE NO. 4:08-cv-00396-MP-WCS

UNITED STATES OF AMERICA, et al.,

Respondents.

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ORDER

This matter is before the Court on Doc. 14, Report and Recommendation of the Magistrate Judge, recommending that this Petition under 28 U.S.C. § 2241 be summarily denied. The Petitioner filed objections, Doc. 15, which the Court has reviewed. The Court has conducted a de novo review of the case, and agrees with the Magistrate Judge that this petition should be denied.

Petitioner challenges two disciplinary reports. On the first, Petitioner was sanctioned to "30 days Disciplinary Segregation suspended pending 90 days clear conduct; Disciplinary Transfer; 3 months Loss of Social Visiting, Phone and Commissary privileges all suspended pending 90 days clear conduct." Doc. 1, p. 21. On the second charge, Petitioner was sanctioned to "15 days Disciplinary Segregation suspended pending 90 days clear conduct." *Id.* Thus, even if Petitioner could prove her claims, and the Court found both reports improper, it would not impact the length of her confinement. Relief is not available in habeas corpus. Additionally, the remedies she seeks are not recoverable in a habeas proceeding. She seeks the following:

(1) Evidentiary hearing (2) Declare that the acts and omissions described herein violated Plaintiff's rights under B.O.P / C.F.R. policy (3) enter preliminary &

permanent injunctions ordering Defendants to: obey C.F.R. policy, statutes & laws, investigate all incidents immediately & impartially, insure outside agency investigates Defendants, have incident report(s) code 224/201, disciplinary transfer & stalking documents removed / expunged from any & all files or records, re investigate the 3- 10-08 incident & obtain my requested witness statements, and suspend each Defendant for 14 days. (4) Enter judgment in favor of Plaintiff for nominal, compensatory, & punitive damages as allowed by law, against each Defendant, jointly & severally. (5) Appoint counsel (6) Order such additional relief as this court may deem just and proper (7) Be allowed to reserve the right to amend this as necessary.

Doc. 13, p. 6 (all caps omitted). These are not cognizable in habeas corpus proceedings. Accordingly, it is hereby

ORDERED AND ADJUDGED:

1. The Report and Recommendation of the Magistrate Judge is adopted and incorporated herein.
2. The Petition under 28 U.S.C. § 2241 is summarily dismissed as seeking relief not cognizable in habeas corpus proceedings.

DONE AND ORDERED this 7th day of April, 2010

s/Maurice M. Paul

Maurice M. Paul, Senior District Judge