

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ROBERT BASS,)	
)	
Petitioner,)	
)	
v.)	No. 10 C 8025
)	
LISA MADIGAN, Attorney General)	
of the State of Illinois,)	
)	
Respondent.)	

MEMORANDUM ORDER

This Court's December 21, 2010 memorandum opinion and order "Opinion") dismissed the 28 U.S.C. §2254 ("Section 2254") petition filed by Robert Bass ("Bass") and, consequently, this action. Now Bass has filed what he labels "Objections to Memorandum, Opinion, and Order," again assisted by the Senior Law Clerk at his place of incarceration. For the reasons stated briefly here, those objections are rejected and the ruling in the Opinion is reconfirmed.

What Bass' current filing seeks to rely on is this portion of Rule 1(a) of the Rules Governing Section 2254 Cases in the United States District Courts:

(a) Cases Involving a Petition under 28 U.S.C. §2254. These rules govern a petition for a writ of habeas corpus filed in a United States district court under 28 U.S.C. §2254 by:

* * *

(2) a person in custody under a state-court or federal-court judgment who seeks a determination that future custody under a state-court judgment would violate the Constitution,

laws, or treaties of the United States.

Where that argument breaks down is that Bass clearly faces no "future custody under a state-court judgment"--he has long since served his time under his 1994-95 state conviction, and both his present and his future involve federal custody on a federal sentence. And as the Opinion held, that cannot and does not bring Bass within the scope of Section 2254.



Milton I. Shadur
Senior United States District Judge

Date: January 25, 2011