

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JAKE SIMMONS, Inmate #B37700,
Petitioner,
vs.
WILLIAM HAMBY, MR. HOLMES,
ADMINISTRATIVE REVIEW BOARD,
ROGER E. WALKER, JR., DONALD N.
SNYDER, JR., ALAN UTCHMAN, MR.
PLUMB,
Respondents.

CIVIL NO. 07-010-MJR

MEMORANDUM AND ORDER

REAGAN, District Judge:

Petitioner, formerly incarcerated in the Big Muddy River Correctional Center, brings this habeas corpus action pursuant to 28 U.S.C. § 2254 to challenge the revocation of good conduct credit in disciplinary proceedings held at the Big Muddy River Correctional Center. He seeks leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915.

Leave to proceed in forma pauperis is GRANTED.

Before further proceedings are ordered, a few words about the named respondents are necessary. Petitioner names as respondents the current (Respondent Walker) and former (Respondent Snyder) director of the Illinois Department of Corrections ("IDOC"), two IDOC wardens (Respondents Holmes and Utchman), an IDOC physician (Respondent Hamby), an IDOC psychologist (Respondent Plumb), and the Administrative Review Board. It is evident from the petition that Petitioner once resided at Big Muddy River Correctional Center and while there had

good conduct credit revoked. The petition does not make it clear who currently controls Petitioner's custody. Accordingly, the Court directs service upon Respondent Roger E. Walker, Jr., the current Director of the IDOC. Respondent shall inform the Court of the specifics of Petitioner's current custody and substitute respondents as necessary. Respondents Hamby, Holmes, Administrative Review Board, Snyder, Utchman, and Plumb are therefore **DISMISSED** as parties to the action.

**IT IS HEREBY ORDERED** that Respondent shall, within twenty-three (23) days of receipt of this application for Writ of Habeas Corpus, answer and show cause why the writ should not issue.

Service upon the Illinois Attorney General, Criminal Appeals Bureau, 100 West Randolph, 12th Floor, Chicago, Illinois 60601 shall constitute sufficient service.

**IT IS FURTHER ORDERED** that pursuant to Local Rule 72.1(a)(2), this cause is referred to a United States Magistrate Judge for further pre-trial proceedings.

**IT IS FURTHER ORDERED** that this entire matter be **REFERRED** to a United States Magistrate Judge for disposition, as contemplated by Local Rule 72.2(b)(2) and 28 U.S.C. § 636(c), *should all the parties consent to such a referral.*

**IT IS SO ORDERED.**

**DATED this 22<sup>nd</sup> day of January, 2007.**

**s/ Michael J. Reagan**  
**MICHAEL J. REAGAN**  
**United States District Judge**