

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

ERIC DONNELL HOLMES,)
)
 Petitioner,)
)
 v.)
)
 SUPERINTENDENT,)
)
 Respondent.)

CAUSE NO. 2:17CV208-PPS

OPINION AND ORDER

This matter is before the court on the habeas corpus petition filed by Eric Donnell Holmes, a pro se prisoner. The petition attempts to challenge the prison disciplinary hearing (ISP 17-04-78) in which the Disciplinary Hearing Officer (DHO) found him guilty of Fighting in violation of C-372. ECF 1-2 at 3. As a result, Holmes’ commissary privileges were temporarily suspended. *Id.* However, he did not lose any earned credit time nor was he demoted in credit class as a result of this disciplinary hearing. *Id.* As such, he has not been deprived of a liberty interest as a result of this hearing.

A prison disciplinary action can only be challenged in a habeas corpus proceeding where it results in the lengthening of the duration of confinement. *Hadley v. Holmes*, 341 F.3d 661, 664 (7th Cir. 2003). Here, because this disciplinary proceeding did not result in the lengthening of the duration of his confinement, habeas corpus relief is not available. Because there is no relief that he can obtain in this habeas corpus proceeding, the petition will be denied.

For the reasons set forth above, the court **DENIES** the petition pursuant to SECTION 2254 HABEAS CORPUS RULE 4 and this case is **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED.

ENTERED: May 22, 2017.

/s/ Philip P. Simon
Judge Philip P. Simon
United States District Court