

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

ROBERT LEE HOLLEMAN,

Petitioner,

v.

ALLAN FINNAN,

Respondent.

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CAUSE NO. 3:07-CV-41 AS

OPINION AND ORDER

Robert Lee Holleman, a *pro se* prisoner, filed this habeas corpus petition attempting to challenge three guilty findings by the Disciplinary Hearing Board (“DHB”) at the Westville Correctional Facility in the following cases: WCC 06-06-0143, WCC 06-06-0095, and WCC 06-06-0093. As a result of those findings, he received the following sanctions: four month disciplinary segregation, one year disciplinary segregation, and three month suspended disciplinary segregation.

Only one DHB finding can be challenged in each habeas corpus petition. Regardless, the court will address Mr. Holleman’s current petition even though it improperly contains challenges to three DHB findings. Mr. Holleman is challenging his disciplinary segregation. A prison disciplinary proceeding can only be challenged where it results in the lengthening of the duration of confinement. *Hadley v. Holmes*, 341 F.3d 661, 664 (7th Cir. 2003). Disciplinary segregation affects the severity rather than duration of custody, and is therefore not actionable

in a habeas corpus proceeding. *Montgomery v. Anderson*, 262 F.3d 641, 643 (7th Cir. 2001).

If it plainly appears from the petition and any attached exhibits that the petitioner is not entitled to relief in the district court, the judge must dismiss the petition and direct the clerk to notify the petitioner.

Section 2254 Habeas Corpus Rule 4.

For the foregoing reasons, the court **DISMISSES** the habeas corpus petition.

IT IS SO ORDERED.

ENTERED: February 8, 2007

S/ ALLEN SHARP

**ALLEN SHARP, JUDGE
UNITED STATES DISTRICT COURT**