

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA**

LEROY MOORMAN,

Petitioner,

v.

SUPERINTENDENT,

Respondent.

Civil Action No. 3:13-CV-908-JVB

**OPINION AND ORDER**

Leroy Moorman filed a *pro se* habeas corpus petition challenging his prison disciplinary hearing which was held at the Plainfield Correctional Facility on December 26, 2012. At that hearing the Disciplinary Hearing Body (DHB) found him guilty of Assault on Staff in violation of A-117 under cause number IYC 12-12-158. He was sanctioned with the loss of 180 days earned credit time and demoted to Credit Class 2. The Respondent has filed a motion to dismiss arguing that “the conviction and sanctions . . . have been vacated [therefore] there is no longer a case or controversy for this Court to adjudicate . . . .” However, the attached exhibit from the Legal Services Division of the Indiana Department of Correction makes no mention of either the conviction nor the sanctions having been vacated. It only says that the case was sent back for a rehearing. Nevertheless, Moorman has not disputed that the conviction was vacated and the lost time restored. Therefore the court will accept counsel’s representations on this point even though there is no evidence in the record which directly supports those assertions. Thus, the motion (DE 7) is **GRANTED** and the case is ordered **DISMISSED** because there is no case or controversy to adjudicate. *See Hadley v. Holmes*, 341 F.3d 661, 664 (7th Cir. 2003).

**SO ORDERED** on March 13, 2014.

s/ Joseph S. Van Bokkelen  
JOSEPH S. VAN BOKKELEN  
UNITED STATES DISTRICT JUDGE