

**United States District Court
Northern District of Indiana**

ROBERT FORTMAN, JR.,)	
)	
Petitioner,)	
)	
vs.)	Civil Action No. 3:15-CV-563 JVB
)	
SUPERINTENDENT,)	
)	
Respondent.)	

OPINION AND ORDER

Robert Fortman, Jr., a *pro se* prisoner, is challenging the prison disciplinary proceeding (MCF-15-08-0301) held by the Miami Correctional Facility Disciplinary Hearing Body (DHB) on September 1, 2015, where he was found guilty of Possession of a Deadly Weapon in violation of A-106. He was sanctioned with the loss of 180 days earned credit time and was demoted from credit class 1 to credit class 3.

In his petition, Fortman admits that he possessed a weapon that he created out of a toothbrush. He asserts that he did this for his own protection because he feared for his safety. (DE 1 at 2.) Fortman recounts that he has been denied protective custody in the past and possessing the weapon was the only way to defend himself from future attacks. However, “inmates do not have a constitutional right to raise self-defense as a defense in the context of prison disciplinary proceedings. As such, the [DHB] was under no constitutional obligation to allow [the] claim that he was merely defending himself to serve as a complete defense to the charge . . .” *Jones v. Cross*, 637 F.3d 841, 848 (7th Cir. 2011) (citation omitted). Thus, his self defense argument is not a basis for habeas corpus relief.

For the foregoing reasons, this petition (DE 1) for habeas corpus relief is **DENIED**.

SO ORDERED on December 4, 2015.

s/ Joseph S. Van Bokkelen
Joseph S. Van Bokkelen
United States District Judge
Hammond Division