

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

DARIUS WASHINGTON,)	
)	
Petitioner,)	
)	
vs.)	CAUSE NO. 3:16-CV-336
)	
SUPERINTENDENT,)	
)	
Respondent.)	

OPINION AND ORDER

This matter is before the Court on the habeas corpus petition filed by Darius Washington, a pro se prisoner, on May 26, 2016. The petition attempts to challenge the prison disciplinary hearing (WCC 15-12-428) where the Disciplinary Hearing Officer (DHO) found him guilty of Battery in violation of B-212 on January 26, 2016. The DHO sanctioned him with the loss of 30 days earned credit time, but the deprivation was suspended and has not yet been imposed. (DE 2-1 at 1.) As such, he has not yet lost any earned credit time as a result of that 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. If in the future this suspended sanction is imposed, then he may file another habeas corpus petition challenging it.

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.**

DATED: July 6, 2016

/s/RUDY LOZANO, Judge
United State District Court