UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

ANTOINE D. DUFF,	)	
	)	
Petitioner,	)	
	)	
v.	)	CAUSE NO. 3:17CV338-PPS
	)	
SUPERINTENDENT,	)	
	)	
Respondent.	)	

OPINION AND ORDER

This matter is before the court on the habeas corpus petition filed by Antoine D. Duff, a pro se prisoner. The petition attempts to challenge the prison disciplinary hearing (MCF 17-02-603) in which the Disciplinary Hearing Officer (DHO) found Duff guilty of Fleeing/Resisting in violation of B-235. The DHO sanctioned him with the loss of 30 days earned credit time, and demoted him from Credit Class 1 to Credit Class 2. However, the deprivation was suspended and has not yet been imposed. [ECF 1 at 1.] As such, he has not yet lost earned credit time or been demoted in class credit 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**.

SO ORDERED.

ENTERED: May 8, 2017.

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