

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

DAVID M. LACEY, JR.,)	
)	
Petitioner,)	
)	
v.)	Cause No. 3:17-CV-486-JD-MGG
)	
SUPERINTENDENT,)	
)	
Respondent.)	

OPINION AND ORDER

David Lacey, Jr., a prisoner without a lawyer, filed a habeas corpus petition challenging the prison disciplinary hearing (MCF 17-03-272) at the Miami Correctional Facility where a Disciplinary Hearing Officer (DHO) found him guilty of trafficking in violation of Indiana Department of Correction (IDOC) policy A-113. ECF 1 at 1. On administrative appeal, Lacey’s charge was amended to attempted trafficking in violation of IDOC A-111/A-113. ECF 1 at 7. Lacey was sanctioned with the loss of 90 days earned credit time and was demoted one credit class. Lacey presents one ground which he believes entitles him to relief.

Lacey argues that his disciplinary charge should not have been amended from trafficking to attempted trafficking. He argues that this forced him to “plead out.” ECF 1 at 2. His argument appears to be that there was not sufficient evidence of trafficking, and thus he should not have been found guilty of *any* charge. Prisoners are entitled to notice of the basis of the charges against them, as well as a hearing in which to defend themselves. *Wolff v. McDonnell*, 418 U.S. 539, 564 (1974). These requirements are satisfied even if the charge is subsequently amended during, or even after, the disciplinary hearing, so long as the underlying factual basis of the original charge was adequate to give the prisoner notice of the allegations against him, and the defense to the

