

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

CHRISTOPHER HICKEY,)	
)	
Petitioner,)	
)	
v.)	CAUSE NO. 3:17-CV-536-PPS-MGG
)	
WARDEN,)	
)	
Respondent.)	

OPINION AND ORDER

Christopher Hickey, a *pro se* prisoner, filed an amended petition for habeas corpus attempting to challenge the prison disciplinary hearing (WCC 17-05-462) where the Disciplinary Hearing Officer (DHO) found him guilty of possession of a cell phone in violation of Indiana Department of Correction (IDOC) policy A-121. (ECF 3 at 1.) As a result, Hickey was sanctioned with the loss of earned credit time and a demotion in credit class. However, those sanctions were suspended and have not been imposed.

Hickey has not been deprived of a liberty interest as a result of this 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 Hickey’s sanctions affecting the duration of his confinement have not been imposed, 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. To the extent that

Hickey's sanctions are imposed at a later date, he may file a new habeas corpus case, under a new case number.

For the reasons set forth above, the amended petition is **DENIED** pursuant to Section 2254 Habeas Corpus Rule 4 and this case is **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED.

ENTERED: October 24, 2017.

/s Philip P. Simon
Judge
United States District Court