

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

CHARLES WILLIAMS,)	
)	
Petitioner,)	
)	
v.)	Case No. 3:18-CV-265-RLM-MGG
)	
WARDEN,)	
)	
Respondent.)	

OPINION AND ORDER

Charles Williams, a prisoner without a lawyer, filed a habeas corpus petition challenging his prison disciplinary hearing in STP 17-07-92, in which disciplinary hearing officer found him guilty of conspiring to possess a cellular device in violation of A-111/A-121 on July 28, 2017. ECF 2 at 1, ECF 7-3 at 1. Mr. Williams was sanctioned with the loss of 90 days earned credit time and demoted from Credit Class 1 to Credit Class 2. *Id.*

After Mr. Williams filed his petition, the finding of guilt and sanctions were vacated. ECF 7-5 at 1. The Warden has filed a motion to dismiss because this case is now moot. ECF 7. Mr. Williams did not file a response and the time for doing so has passed. *See* N.D. Ind. L. Cr. R. 47-2. Regardless, the court can't overturn the disciplinary proceeding and restore his time because the Indiana Department of Correction has already vacated the proceeding and restored his time. That is to say, Mr. Williams has already won and there's nothing left for this court to decide. Accordingly, this case must be dismissed. *See* Hadley v. Holmes, 341 F.3d 661,

664 (7th Cir. 2003) (prisoner can challenge prison disciplinary determination in habeas proceeding only when it resulted in a sanction that lengthened the duration of his confinement).

For these reasons, the motion (ECF 7) is GRANTED and the case is DISMISSED. The clerk is DIRECTED to close this case.

SO ORDERED on August 24, 2018

/s/ Robert L. Miller, Jr.
JUDGE
UNITED STATES DISTRICT COURT