

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

JACKIE LEE FISHER,

Petitioner,

v.

WARDEN,

Respondent.

CAUSE NO.: 3:18-CV-926-PPS-MGG

OPINION AND ORDER

Jackie Lee Fisher, a prisoner without a lawyer, filed a habeas corpus petition challenging the prison disciplinary hearing (WCC 17-12-273) where a Disciplinary Hearing Officer (DHO) at the Westville Correctional Facility found him guilty of unauthorized possession and destruction of State property in violation of Indiana Department of Correction policy B-215 on March 1, 2018. ECF 2 at 1, 2-1 at 12. As a result, Fisher was sanctioned with the loss of 30 days earned credit time. *Id.* However, this sanction was suspended and has not yet been imposed. ECF 2-1 at 12, 25, 26. As such, Fisher has not yet lost earned credit time as a result of that hearing.

A prison disciplinary hearing 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 hearing did not lengthen the duration of Fisher's 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, the suspended sanction is imposed, then he may file another habeas corpus petition challenging it.

For these reasons, the petition (ECF 2) is DENIED pursuant to Section 2254 Habeas Corpus Rule 4. The clerk is DIRECTED to close the case.

SO ORDERED on November 26, 2018.

/s/ Philip P. Simon  
PHILIP P. SIMON, JUDGE  
UNITED STATES DISTRICT COURT