

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

BRIAN REID,

Petitioner,

v.

WARDEN,

Respondent.

CAUSE NO. 3:20-CV-808-RLM-MGG

OPINION AND ORDER

Brian Reid, a prisoner without a lawyer, filed a habeas corpus petition attempting to challenge the prison disciplinary hearing (ISP 20-07-275) where a disciplinary hearing officer found him guilty of Filing a Frivolous Claim in violation of Indiana Department of Correction offense B-243 on July 31, 2020. ECF 1. As a result, he was sanctioned with the loss of 30 days earned credit time. That punishment was suspended until January 31, 2021, and has not yet been imposed. Indeed, it may never be imposed.

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). Because the duration of Mr. Reid's confinement hasn't yet been lengthened as a result of this prison disciplinary proceeding, this case must be dismissed without prejudice. If in the future the suspended sentence is imposed, he may file another, separate case challenging this disciplinary hearing.

For these reasons, the court DISMISSES this case WITHOUT PREJUDICE and DIRECTS the clerk to enter judgment.

SO ORDERED on September 28, 2020

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