SMITH v. WRIGLEY Doc. 17

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF INDIANA

ERIC D. SMITH,		)	
	Petitioner,	)	
V.		)	No. 1:09-cv-906-LJM-TAE
JEFF WRIGLEY,		)	
	Respondent.	)	

## **Entry Concerning Selected Matters**

The court, having considered the above action and the matters which are pending, makes the following rulings:

- 1. The petitioner's motion for relief from judgment (dkt 14) is **denied** for the same reasons as explained in the Entry of October 6, 2009.
- 2. The petitioner's motion for prospective relief (dkt 16) is **denied.** The reason for this ruling is that final judgment was entered on the clerk's docket on September 30, 2009, and has not been reopened. Additionally, the center cannot challenge his treatment or the conditions of his confinement through an action for habeas corpus relief.

IT IS SO ORDERED.

Date: <u>11/06/2009</u>

VARRY J. McKINNEY, JUDGE / United/States District Court Southern District of Indiana

Distribution:

Eric D. Smith #112675 New Castle Correctional Facility 1000 Van Nuys Rd. New Castle, IN 47362