

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

JAMES SMITH,)	
)	
Petitioner,)	
v.)	No. 1:10-cv-711-WTL-DML
)	
SUPERINTENDENT PETERS,)	
)	
Respondent.)	

Entry Discussing Petition for Writ of Habeas Corpus

In a prison disciplinary proceeding identified as No. BTC 10-04-045, James Smith was found guilty of violating prison rules and was sanctioned. The prison disciplinary proceeding has been remanded and a new hearing will be conducted. This renders the habeas action moot, and an action which is moot must be dismissed for lack of jurisdiction. *Diaz v. Duckworth*, 143 F.3d 345, 347 (7th Cir. 1998); *Board of Educ. of Downers Grove Grade School Dist. No. 58 v. Steven L.*, 89 F.3d 464, 467 (7th Cir. 1996), *cert. denied*, 117 S. Ct. 1556 (1997).

The respondent's motion to dismiss (dkt 12) is **granted**. Judgment consistent with this Entry shall now issue.

IT IS SO ORDERED.

Date: 10/25/2010



Hon. William T. Lawrence, Judge
United States District Court
Southern District of Indiana