

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA

BILLY BINION, )  
Petitioner, )  
v. ) No. 1:11-cv-405-TWP-TAB  
SUPERINTENDENT STINE, )  
Respondent. )

**Entry Discussing Petition for Writ of Habeas Corpus**

In a prison disciplinary proceeding identified as No. NCF 11-01-0128, Billy Binion was found guilty of violating prison rules and was sanctioned. That determination has since been vacated 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. No. 14) is **granted**. Judgment consistent with this Entry shall now issue.

**IT IS SO ORDERED.**

Date: 08/05/2011

Distribution:

Linda Sue Leonard  
Linda.Leonard@atg.in.gov

Tanya Walton Pratt  
Hon. Tanya Walton Pratt, Judge  
United States District Court  
Southern District of Indiana

Billy Binion  
DOC #135590  
New Castle Correctional Facility  
Inmate Mail/Parcels  
1000 Van Nuys Road  
New Castle, IN 47362