

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

MICHAEL CAMPBELL,)	
)	
Petitioner,)	
)	
v.)	Case No. 1:15-cv-00719-JMS-MJD
)	
ZATECKY,)	
)	
Respondent.)	
)	

Entry on Respondent’s Motion to Dismiss

In this habeas action, the petitioner challenges a prison disciplinary conviction for a Class A 111/117 offense of attempted assault on staff, case ISR14-07-0054. The petitioner was found guilty on November 7, 2014, and sanctions, including the deprivation of 180 days of earned credit time, were imposed.

The respondent seeks the dismissal of this action on the grounds that the petitioner failed to exhaust his administrative appeals process. The petitioner did not appeal the hearing officer’s decision to either the Facility Head or to the Final Reviewing Authority.

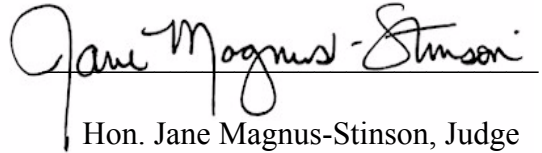
“Indiana does not provide judicial review of decisions by prison administrative bodies, so the exhaustion requirement in 28 U.S.C. § 2254(b) is satisfied by pursuing all administrative remedies.” *Moffat v. Broyles*, 288 F.3d 978, 981 (7th Cir. 2002). “Indiana offers two levels of administrative review: a prisoner aggrieved of the decision of a disciplinary panel may appeal first to the warden and then to a statewide body called the Final Reviewing Authority.” *Id.* at 981-982.

The petitioner has not opposed the motion to dismiss. Because he failed to timely exhaust his administrative remedies before filing this action, the respondent’s unopposed motion to dismiss [dkt. 9] must be **granted**.

Judgment consistent with this Entry shall now issue.

IT IS SO ORDERED.

Date: September 23, 2015

A handwritten signature in black ink that reads "Jane Magnus-Stinson". The signature is written in a cursive style and is positioned above a horizontal line.

Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana

Distribution:

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