

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

JUSTIN BURNETT,	)	
	)	
Petitioner,	)	
	)	
vs.	)	No. 1:17-cv-01032-TWP-DML
	)	
SUPERINTENDENT,	)	
	)	
Respondent.	)	

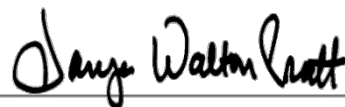
**Entry Dismissing Petition for Writ of Habeas Corpus**

In a prison disciplinary proceeding identified as No. NCN 16-10-0007, the petitioner was found guilty of violating prison rules and was sanctioned. That determination has since been vacated, the sanctions restored, and the matter expunged from the petitioner's records.

A federal court may issue a writ of habeas corpus pursuant to 28 U.S.C. § 2254(a) only if it finds the applicant "is in custody in violation of the Constitution or laws or treaties of the United States." *Id.* Because the petitioner is not "in custody" based on the sanctions imposed in the challenged disciplinary hearing No. NCN 16-10-0007, the habeas action is 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). The respondent's unopposed motion to dismiss, dkt. [10], is **granted**. Judgment consistent with this Entry shall now issue.

**IT IS SO ORDERED.**

Date: 8/29/2017



TANYA WALTON PRATT, JUDGE  
United States District Court  
Southern District of Indiana

Distribution:

Electronically registered counsel

JUSTIN BURNETT

217996

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