

treaties of the United States. *Rose vs. Hodges*, 423 U.S. 19, 21 (1975). Accordingly, habeas corpus review is available only where the deprivation of rights is such that it necessarily impacts the fact or length of detention. *Leamer v. Fauver*, 288 F.3d 532, 540 (3d Cir. 2002). This means, in part, that a challenge to the conditions of confinement may not be brought pursuant to 28 U.S.C. 2241. *Falcon v. U.S. Bureau of Prisons*, 52 F.3d 137, 138-39 (7th Cir. 1995); *Graham v. Broglin*, 922 F.2d 379, 381 (7th Cir. 1991).

Garrett's habeas petition does not present claims affecting either the fact or duration of his confinement and thus those claims do not lie within the scope of available relief.

C.

Federal courts are authorized to dismiss summarily any habeas petition that appears legally insufficient on its face. *McFarland v. Scott*, 512 U.S. 849, 856 (1994). For the reasons explained above, that is the appropriate disposition here. The petition for writ of habeas corpus filed by Garrett Rushing is denied and this action is summarily dismissed.

II.

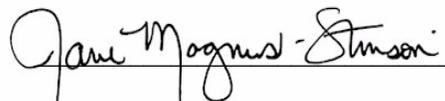
Judgment consistent with this Entry shall now issue.

IT IS SO ORDERED.

Date: 06/10/2013

Distribution:

Garrett Rushing
No. 10706-091
Terre Haute-USP
Inmate Mail/Parcels
P.O. Box 33
Terre Haute, IN 47808



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