

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

RICHARD EUGENE WARREN,)
Petitioner,)
vs.)
JOHN OLIVER, Warden,)
Respondent.)
No. 2:13-cv-00061-JMS-WGH

Entry and Order Dismissing Action

I.

Habeas petitioner Richard Eugene Warren is confined in this district and seeks a writ of habeas corpus based on his challenge to the requirement that mailing labels be used on his outgoing mail. Warren shall have through June 4, 2013, in which to either pay the \$5.00 filing fee or demonstrate that he lacks the financial means to do so.

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. *Graham v. Broglin*, 922 F.2d 379, 381 (7th Cir. 1991); *Falcon v. U.S. Bureau of Prisons*, 52 F.3d 137, 138-39 (7th Cir. 1995).

Accordingly, Warren's habeas petition is summarily dismissed. Warren's motion for emergency order [dkt. 3] is denied as moot.

II.

Judgment consistent with this Entry shall now issue.

IT IS SO ORDERED.

Date: 05/07/2013



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

Distribution:

RICHARD EUGENE WARREN
70874-083
TERRE HAUTE FEDERAL CORRECTIONAL INSTITUTION
Inmate Mail/Parcels
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