

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

BRIAN JOHNNIE BONNER, # 397095,

Petitioner,

Case Number: 2:17-CV-12111
HON. SEAN F. COX

v.

MARK MCCULLICK,

Respondent.

**ORDER DENYING PETITIONER'S
MEDICAL EMERGENCY MOTION WITHOUT PREJUDICE**

Michigan state prisoner Brian Johnnie Bonner filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, asserting he is being held in violation of his constitutional rights. Now before the Court is Petitioner's Medical Emergency Motion.

Petitioner's motion concerns the conditions of Petitioner's confinement. Petitioner claims that prison officials have interfered with his legal mail and denied him medical treatment for serious physical ailments. Petitioner filed an identical motion in a prisoner civil rights case presently pending in this Court before the Honorable Denise Page Hood. *See Bonner v. Washington, et al.*, No. 2:17-cv-11694. A petition for a writ of habeas corpus provides the appropriate vehicle for challenging the fact or duration of a prisoner's confinement. *Preiser v. Rodriguez*, 411 U.S. 475, 486-87 (1973). Habeas corpus is not the proper vehicle for challenging conditions of confinement or mistreatment during incarceration. *See Martin v. Overton*, 391 F.3d 710, 714 (6th Cir. 2004). Petitioner's

claims regarding his legal mail and the denial of medical care “fall outside of the cognizable core of habeas corpus relief.” *Hodges v. Bell*, 170 Fed. App’x 389, 393 (6th Cir. 2006). They are best addressed in the civil rights proceeding presently pending in this Court.

Accordingly, the Court DENIES WITHOUT PREJUDICE Petitioner’s Medical Emergency Motion (ECF No. 6).

SO ORDERED.

Dated: January 12, 2018

s/Sean F. Cox
Sean F. Cox
U. S. District Judge

I hereby certify that on January 12, 2018, the foregoing document was served on counsel of record via electronic means and upon Brian Johnnie Bonner via First Class mail at the address below:

Brian Johnnie Bonner 397095
CHARLES EGELER RECEPTION
AND GUIDANCE CENTER ANNEX
3855 COOPER STREET
JACKSON, MI 49201

s/J. McCoy
Case Manager