

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

CEDRIC DIXON

PLAINTIFF

v.

No. 4:17CV86-DMB-RP

PELICIA HALL, ET AL.

DEFENDANTS

**ORDER DIRECTING CLERK TO
OPEN A *HABEAS CORPUS* CASE WITH
THE PRESENT COMPLAINT**

This matter comes before the court on the complaint by Cedric Dixon, who challenges the conditions of his confinement under 42 U.S.C. § 1983. In his complaint, he alleges various violations to his civil rights as a prisoner, as well as irregularities regarding the computation of his sentence. As relief, he seeks release from custody and damages against the various defendants. As this case contains elements of both a prisoner civil rights suit under 42 U.S.C. § 1983 and a *habeas corpus* petition under 28 U.S.C. § 2254, the court will permit it to proceed – as separate suits – in both ways. As such, the Clerk of the Court is **DIRECTED** to open a separate case under 28 U.S.C. § 2254 on the court's docket using the complaint in the instant case. In addition, the Clerk of the Court is directed to provide the plaintiff with the proper form for initiating a petition under § 2254, as well as a form for proceeding *in forma pauperis* in the new case. The plaintiff must return a completed copy of those forms within 30 days from the date of this order.

SO ORDERED, this, the 5th day of October, 2017.

/s/ Roy Percy _____
UNITED STATES MAGISTRATE JUDGE