

NOT FOR PUBLICATIONIN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE

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CHAD STEVEN HUMPHRIES,

Petitioner

v.

DAVID ORTIZ,

Respondent

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Civil Action No. 16-9552(RMB)

**MEMORANDUM AND ORDER**

In November 2018, this Court dismissed Petitioner's petition for writ of habeas corpus under 28 U.S.C. § 2241 for failure to exhaust administrative remedies and alternatively dismissed the petition on the merits. (Opinion, Dkt. No. 6; Order, Dkt. No. 7.) One year later, Petitioner filed, in this closed action, a motion for injunction directing the Bureau of Prisons ("BOP") to Cease Group Sanctions. (Mot. for Inj., ECF No. 8). Petitioner asserted that he had not exhausted administrative remedies but that exhaustion was futile. (Id.) Petitioner complained that BOP staff were recently conducting contraband searches and issuing incident reports to multiple inmates for contraband found in common areas. (Id.) Petitioner alleged this was unconstitutional and requested that this Court order the BOP to desist in issuing incident reports to inmates based on contraband found in common areas. (Id.)

Petitioner lacks standing to seek injunctive relief in a closed § 2241 action, which was unrelated to the BOP conduct over which he now complains. If Petitioner was subsequently issued an incident report by the Bureau of Prisons which led to loss of good time credit and he wishes to bring a constitutional challenge, he must file a § 2241 petition in a new action, after exhausting administrative remedies.

**IT IS** therefore on this 2nd day of July 2020,

**ORDERED** that the Clerk shall reopen this matter; and it is further

**ORDERED** that Petitioner's motion for injunction (Dkt. No. 8) is **DISMISSED**; and it is further

**ORDERED** that the Clerk of the Court shall close this matter; and it is further

**ORDERED** that the Clerk shall serve a copy of this Order on Petitioner by regular U.S. mail.

s/Renée Marie Bumb  
**RENÉE MARIE BUMB**  
United States District Judge