

C/M

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
TOMASZ ZYGMUNT,

Petitioner,

-against-

ROSA GUMATAOTAO RIOS,

Respondent.  
-----X

**NOT FOR PUBLICATION**

**MEMORANDUM  
DECISION AND ORDER**

10 Civ. 0055 (BMC)

**COGAN**, District Judge:

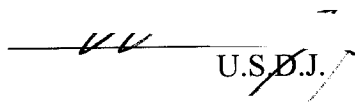
On January 7, 2010, petitioner Tomasz Zygmunt, appearing *pro se*, filed the instant petition for habeas corpus. Petitioner paid the statutory filing fee to commence a petition for a writ of habeas corpus.

Petitioner does not allege that he is in custody pursuant to a judgment of a state or federal court in violation of the Constitution or laws or treaties of the United States or any other detention. See 28 U.S.C. §§ 2241, 2254, 2255. Rather, petitioner acknowledges that “this writ is prophylactic, preventing construction of unwanted contract” and is related to a “debt action in *assumpsit* by Ms. RIOS,” Petition at 2 (“Cause of Action”). Petitioner attaches a copy of bank withdrawal ticket for \$39.00, a billing statement from Direct Loans which appears to be related to a student loan and other banking documents. Even under a liberal construction, there is no basis for habeas corpus relief.

Accordingly, petitioner’s habeas corpus application is denied.

The Clerk of Court is directed to close this case.

**SO ORDERED.**

 U.S.D.J.

Dated: Brooklyn, New York  
January 19, 2010