UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF OHIO EASTERN DIVISION

LAFEAR WILLIAMS,) CASE NO. 4:08 CV 1129
Petitioner,)) JUDGE SARA LIOI
VS.)
WARDEN GUNJA,) MEMORANDUM OF OPINION) AND ORDER
Respondent.)

On May 6, 2008, petitioner *pro se* Lafear Williams, an inmate at the Northeast Ohio Correctional Center (NEOCC), filed the above-captioned habeas corpus action under 28 U.S.C. § 2241. Petitioner seeks an order reducing his federal sentence by two days for each day served at NEOCC, on the ground that "the conditions at the NEOCC borderline on cruel and unusual punishment and this has caused him to serve a more onerous period of incarceration than that which was contemplated by the sentencing Court." Petitioner cites numerous cases in support of his request. See Petition, p.5.

As a threshold matter, habeas corpus is not the appropriate vehicle for challenging the conditions of one's confinement. *Abuhouran v. Morrison*, No. 02-3427, 49 Fed.Appx. 349 (6th

Cir. Sept. 18, 2002); Okoro v. Scibana, No. 99-1322, 1999 WL 1252871 (6th Cir. Dec. 15, 1999).

Further, the cases cited by petitioner in support of his request for sentence modification all concern

downward departures made by the trial court at sentencing. As such, they are wholly inapplicable

here.

Accordingly, the petition is denied and this action is dismissed pursuant to 28

U.S.C. § 2243. The court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this

decision could not be taken in good faith.

IT IS SO ORDERED.

Dated: June 27, 2008

HONORABLE SARA LIOI

UNITED STATES DISTRICT JUDGE

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