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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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ERIC PORTER,

Petitioner,

*versus*

WARDEN DANIELS,

Respondent.

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CIVIL ACTION NO. 1:13-CV-663

**MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING  
THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

Eric Porter, an inmate confined within the Bureau of Prisons, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court.

The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge concerning the petition. The magistrate judge recommends the petition be denied.

The court has received the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. Petitioner filed objections to the Report and Recommendation. The court must therefore conduct a *de novo* review of the objections.

Petitioner was convicted of several offenses in the Superior Court of the District of Columbia. He complains that the Bureau of Prisons has failed to give him credit for Extra Good Time Credits he has earned while incarcerated. The magistrate judge concluded that while the Bureau has noted the amount of Extra Good Time Credits petitioner has earned, these credits cannot be used to reduce his maximum sentence because the maximum term of imprisonment petitioner received was life imprisonment. In his objections, petitioner does not appear to contest this conclusion. Instead, he complains that his Extra Good Time Credits were also not used to

calculate the date on which he became eligible for release on parole. However, Extra Good Time Credits do not affect the minimum time an inmate must serve before becoming eligible for parole consideration. *Fields v. Keohane*, 954 F.2d 945, 947 (3rd Cir. 1992) (quoting *Moss v. Clark*, 886 F.2d 686, 688-89 (4th Cir. 1989)). Petitioner's objections are therefore without merit.

ORDER

Accordingly, petitioner's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment shall be entered denying the petition.

**Signed this date.**

**Apr 25, 2016**



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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE