

and violated procedural rules, and he alleges that the disciplinary hearing officer was biased. Docket No. 1 at 4–7.

None of petitioner’s objections address either his claims or the Magistrate Judge’s recommendations. In a series of related objections, petitioner claims he is a “sovereign man,” and he is not properly identified in the report and recommendation because his full name is capitalized in the caption; petitioner asserts the person identified in the report and recommendation is a “straw man.” Docket No. 21 at 1. Petitioner contends he was convicted as a corporate entity, and, therefore, the Bureau of Prisons lacks jurisdiction over him because he is a sovereign. *Id.* Petitioner claims his incarceration does not comply with the Uniform Commercial Code. *Id.* at 1–2. Petitioner also claims the federal government went into bankruptcy on April 5, 1933 and was reformed as a corporation. *Id.* at 2–3. These arguments are based on “redemptionist” or “sovereign citizen” theories, which have been rejected repeatedly by federal courts. *See e.g. Nunez v. D.T.C.*, 2013 WL 5409219, at *3 (D.S.C. Sept. 25, 2013). Because these objections have no basis in law and have no bearing on the issues raised in this petition, the Court finds that the objections lack merit.

Petitioner contends his legal papers were confiscated from his locker, which deprived him of property and denied him access to the courts. Docket No. 21 at 4. Petitioner also contends he was subjected to unconstitutional conditions of confinement when he was placed in the “hole” for minor infractions of prison rules. *Id.* at 5. Because these claims do not involve the fact or duration of petitioner’s confinement, they are not cognizable in a habeas petition. *Preiser v. Rodriguez*, 411 U.S. 475, 500 (1973); *Cook v. TDCJ Transitional Planning Dep’t*, 37 F.3d 166, 168 (5th Cir. 1994).

Finally, petitioner contends prison officials are guilty of misprision of a felony. Docket No. 21 at 4. It appears petitioner is requesting a criminal investigation or prosecution. However, the judicial branch of government does not interfere with the executive branch's authority to investigate and prosecute violations of criminal laws. *United States v. Cox*, 342 F.2d 167, 171 (5th Cir. 1965). As a result, this objection lacks merit.

The Court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the Court concludes the objections are 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 will be entered in this case in accordance with the Magistrate Judge's recommendation.

SIGNED this 5th day of July, 2017.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE