

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

JACKIE L. LAWRENCE, JR.,)	
)	
Petitioner,)	
vs.)	Case No. 1:15-cv-00128-TWP-MJD
)	
SUPERINTENDENT, New Castle)	
Correctional Facility,)	
)	
Respondent.)	

Entry Dismissing Action and Directing Entry of Final Judgment

I.

“[I]n all habeas corpus proceedings under 28 U.S.C. § 2254, the successful petitioner must demonstrate that he ‘is in custody in violation of the Constitution or laws or treaties of the United States.’” *Brown v. Watters*, 599 F.3d 602, 611 (7th Cir. 2010) (quoting 28 U.S.C. § 2254(a)). When a prison disciplinary proceeding results in a sanction which affects the expected duration of a prisoner’s confinement, typically through the deprivation of earned good-time credits or the demotion in credit earning class, the state may not deprive inmates of good-time credits without following constitutionally adequate procedures to ensure that the credits are not arbitrarily rescinded and habeas corpus is the proper remedy. *Cochran v. Buss*, 381 F.3d 637, 639 (7th Cir. 2004). Conversely, when no recognized liberty or property interest has been taken, the confining authority is free to use any procedures it chooses, or no procedures at all. *Montgomery v. Anderson*, 262 F.3d 641, 644 (7th Cir. 2001).

Here, on October 29, 2014, petitioner Lawrence was sanctioned for misconduct at an Indiana prison, but was not sanctioned in a fashion which caused him to suffer the imposition of “custody” as just explained. He thus cannot obtain relief here. *Cochran v. Buss*, 381 F.3d 637, 639 (7th Cir. 2004)(“State prisoners who want to raise a constitutional challenge to a[] . . . decision[] such as transfer to a new prison, administrative segregation, exclusion from prison programs, or suspension of privileges, must . . . employ [42 U.S.C.] ' 1983 or another statute authorizing damages or injunctions--when the decision may be challenged at all . . .”).

Lawrence’s petition for writ of habeas corpus is therefore summarily denied and this action is dismissed.

II.

Judgment consistent with this Entry shall now issue.

IT IS SO ORDERED.

Date: 2/2/2015


Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

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