



court of appeals in White.

Petitioner has responded to the June 25 order. The documentation he has submitted reveals that he was sentenced to a term of 84 months on January 4, 2002. His projected release date is May 30, 2006. If he were to be granted habeas corpus relief, he would be entitled to 378 days of good conduct time instead of 329 days, as the Bureau of Prisons has calculated his credit. This would mean his projected release date would be in April 2006, 49 days earlier than it is presently projected. I am satisfied that petitioner's challenge does not warrant expedited treatment.

Petitioner concedes that his release date is not imminent. However, he argues that he will be prejudiced by a stay of the proceedings in this case because under Michigan law, he may lose his parental rights if he is incarcerated for more than two years from May 19, 2004. Although I am sympathetic to the fact that petitioner may be subject to a Michigan law that allows his parental rights to be terminated under certain conditions, it is too far a stretch to conclude that if petitioner's good time credit is recalculated in accordance with White, petitioner's parental rights will remain intact. I suspect petitioner will have an opportunity to defend any attempt to terminate his parental rights and that he can argue at that time that his good conduct time is subject to recalculation for a number of reasons, including that expressed in White. In any event, I am not persuaded that the mere possibility that Michigan will move to terminate his parental rights is a ground to treat this

action differently from the other actions that have been stayed pending the White appeal.

ORDER

IT IS ORDERED that this petition for a writ of habeas corpus is STAYED pending a decision from the Court of Appeals for the Seventh Circuit on the appeal filed in White v. Scibana, No. 04-2410.

Entered this 7th day of July, 2004.

BY THE COURT:  
BARBARA B. CRABB  
District Judge