

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JEROME CAMPBELL,

Petitioner,

v.

WARDEN SCIBANA, F.C.I. Oxford,

Respondent.

ORDER

04-C-311-C

In an order dated June 4, 2004, I denied respondent Scibana's motion to stay the proceedings in this case and granted petitioner Jerome Campbell's petition for a writ of habeas corpus. Respondent was directed to release petitioner from the Federal Correction Institution immediately, and he complied with the order. On June 15, 2004, petitioner filed a "Motion for Relief in Response to Court Order." In this motion, petitioner complains that after he was released from respondent's custody, he was moved to the Adams County jail in Friendship, Wisconsin, where he was held as a detainee on charges arising in Tennessee. On June 9, 2004, petitioner appeared in state court and waived his extradition rights. He did not have appointed counsel and the public defender's office in Adams County refused to provide him legal assistance. In petitioner's view, his confinement at the Adams County jail

violates his constitutional rights.

Petitioner cannot raise his claim of unconstitutional conduct in the context of this habeas corpus proceeding. This case is closed. Petitioner obtained the relief he wanted. The Bureau of Prisons recalculated his good conduct time on the basis of his sentence rather than on time served and agreed to release him from federal custody in reliance on that recalculation. If petitioner believes that his rights were violated in the manner in which he was detained on charges arising in Tennessee, he will have to raise that claim in a separate action after he has exhausted his state court remedies.

Accordingly, IT IS ORDERED that petitioner's "Motion for Relief in Response to Court Order" is DENIED.

Entered this 6th day of July, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge