

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

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JOSEPH JACKSON,  
Petitioner,

ORDER  
04-C-416-C

v.

JOSEPH SCIBANA, Warden of  
Oxford Prison Camp,  
Respondent.

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In an order entered in this case on June 23, 2004, I imposed a stay of all proceedings pending a decision by the Court of Appeals for the Seventh Circuit in White v. Scibana, No. 04-2410. Now petitioner has filed a motion to lift the stay.

When I imposed the stay in this case, I had not yet ruled in Caldwell v. Scibana, 04-C-342-C (copy attached), that I would not impose a stay in cases raising the claim raised in White v. Scibana, 314 F. Supp. 2d 834 (W.D. Wis. 2004), if (1) the petitioner submits a sentence computation from the Bureau of Prisons showing the inmate's term of imprisonment, good conduct time that has been both earned and disallowed, current release date and pre-release preparation date; and (2) I can conclude on the basis of that information that the petitioner would be entitled to imminent release or eligible for an

imminent halfway house placement after his good conduct time is recalculated in accordance with White.

Neither petitioner's petition nor petitioner's motion to lift the stay is supported by documentation from the Bureau of Prisons that reveals when he was sentenced and for how long, how much good conduct time he has earned and how much he has been disallowed and what his current release and pre-release preparation dates are. Therefore, I will deny petitioner's motion to lift the stay previously imposed in this case, without prejudice to his renewing the motion and supporting it with the necessary documentation.

ORDER

IT IS ORDERED that petitioner's motion to lift the stay in this case is DENIED without prejudice.

Entered this 30th day of September, 2004.

BY THE COURT:

BARBARA B. CRABB  
District Judge