

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

STEVEN J. RANTA,

Petitioner,

v.

JOSEPH SCIBANA,
Warden, FCI-Oxford,

Respondent.

ORDER

04-C-504-C

In White v. Scibana, 314 F. Supp. 2d 834 (W.D. Wis. 2004), I concluded that the Bureau of Prisons was acting contrary to 18 U.S.C. § 3624(b) by calculating petitioner Yancey White's good conduct time on the basis of the actual time he had served rather than his imposed sentence. I granted White's petition for a writ of habeas corpus under 28 U.S.C. § 2241 and ordered the warden to recalculate White's good conduct time in accordance with § 3624(b).

Like White, petitioner Steven Ranta is an inmate at the Federal Correctional Institution in Oxford, Wisconsin. His petition raises the same issue as that in White: he alleges that the bureau is calculating his good conduct time on the basis of time served rather than the sentence imposed. Petitioner has paid the \$5 filing fee.

In support of his petition, petitioner has submitted a sentence computation data sheet prepared by the bureau. Unfortunately for petitioner, his sentence computation report shows that he is not entitled to any good conduct time. Petitioner is currently serving a 12-month term for a violation of his supervised release. Under 18 U.S.C. § 3624(b), an inmate is not eligible to earn good conduct time unless he is serving a sentence of more than one year. As a result, the holding in White does not apply to him.

ORDER

IT IS ORDERED that petitioner Steven Ranta's petition for a writ of habeas corpus under 28 U.S.C. § 2241 is DISMISSED.

Entered this 23rd day of July, 2004.

BY THE COURT:

BARBARA B. CRABB
District Judge