

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

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IN RE: MARK WOODARD,

ORDER

Petitioner.

05-C-283-C

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Mark Woodard has filed a document styled as a petition for a writ of habeas corpus and has paid the five dollar filing fee. The document appears to be a sequel to a similar filing by Woodard on May 2, 2005 relating to allegations by the City of Beloit that Woodard is violating Beloit's zoning code by running a business from his property. This court dismissed the petition in that case for lack of jurisdiction, noting that Woodard's dispute with the City of Beloit was a civil one that did not involve any restraint on Woodard's liberty. In the Matter of Mark Woodard, 05-C-265-C, Order, May 5, 2005, dkt. #2.

The instant petition is no different. The fact that Woodard has now been issued a municipal citation for allegedly violating Beloit's zoning ordinance does not make Woodard's complaints about the city's conduct the proper subject of a habeas petition. Woodard is not in custody. The petition must be dismissed.

ORDER

IT IS ORDERED that petitioner's pleading, styled as a petition for a writ of habeas corpus, is DISMISSED for lack of subject matter jurisdiction.

Entered this 19<sup>th</sup> day of May, 2005.

BY THE COURT:

/s/

BARBARA B. CRABB  
District Judge