

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

WILLIAM JAMES DANIEL,

Petitioner,

ORDER

v.

05-C-688-S

MR. HOBART,

Respondent.

Petitioner filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241. He requests leave to proceed in forma pauperis.

From an examination of the affidavit of indigency that petitioner has submitted the Court finds that he is unable to prepay the costs and fees of commencing this action. Accordingly, petitioner's request to proceed in forma pauperis will be granted.

Petitioner alleges that he is incarcerated at the Federal Correctional Institution, Oxford, Wisconsin. He alleges that he is not receiving medical treatment for his chronic pancreatitis.

Petitioner is not challenging either his conviction or the duration of his confinement. Accordingly, his petition must be dismissed. The proper remedy for his allegations of denial of medical treatment is to file a civil complaint in this Court after exhausting his administrative remedies.

ORDER

IT IS ORDERED that petitioner's request to proceed in forma pauperis is GRANTED.

Daniel v. Hobart, 05-C-688-S

IT IS FURTHER ORDERED that petitioner's petition for a writ of habeas corpus is DISMISSED without prejudice.

Entered this 23rd day of November, 2005.

BY THE COURT:

S/

JOHN C. SHABAZ
District Judge