

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

WILLIAM J. R. EMBREY,

Petitioner,

ORDER

v.

05-C-724-S

UNITED STATES PAROLE COMMISSION and
THE UNITED STATES DEPARTMENT OF JUSTICE,

Respondents.

Petitioner filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. He paid the \$5.00 filing fee.

Petitioner claims that he is seeking to compel all respondents to perform their duty. This relief is not provided in a petition for a writ of habeas corpus. His proper remedy is a civil action for which the filing fee is \$250.00. Petitioner's petition for a writ of habeas corpus will be dismissed without prejudice to his refiling of a civil complaint with payment of the required fee.

ORDER

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

Entered this 13th day of December, 2005.

BY THE COURT:

s/
JOHN C. SHABAZ
District Judge