

**UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA, SOUTH BEND DIVISION**

Charles J. Borum v. Indiana Attorney General

Borum · No. 3:26-CV-673-CCB-SJF · Decided May 20, 2026

OPINION

Borum

PER CURIAM.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

CHARLES J. BORUM,

Petitioner,

v. CAUSE NO. 3:26-CV-673-CCB-SJF

INDIANA ATTORNEY GENERAL,

Respondent.

OPINION AND ORDER

Charles J. Borum, a prisoner without a lawyer, filed a habeas corpus petition attempting to challenge the “68 to 70 days for contempt of court” imposed on February 4, 2026, by the Elkhart Superior Court in 20D06-1604-JP-148. ECF 1 at 8. Under Section 2254 Habeas Corpus Rule 4, the court must dismiss the petition “[i]f it plainly appears from the petition and any attached exhibits that the petitioner is not entitled to relief in the district court.”¹ “Federal courts have jurisdiction to issue writs of habeas corpus under § 2241 only where the petitioner is ‘in custody in violation of the Constitution or laws or treaties of the United States.’” *Samirah v. O’Connell*, 335 F.3d 545, 549 (7th Cir. 2003) (citing 28 U.S.C. § 2241(c)(3)); see also *Virsnieks v. Smith*, 521 F.3d 707, 717 (7th Cir. 2008). Although § 2241 may apply beyond cases of strict physical custody, the petitioner must establish that he is being subjected to conditions that “significantly restrain” his

1 Rule 4 can be applied to other types of habeas petitions besides those filed under 28 U.S.C. § 2254. See Rule 1(B) of the Rules Governing Section 2254 Cases. freedom of movement in a manner not shared by the general public. *Virsnieks*, 521 F.3d at 717. “The custody requirement of the habeas corpus statute is designed to preserve the writ of habeas corpus as a remedy for severe restraints on individual liberty.” *Hensley v. Mun. Ct.*, 411 U.S. 345, 351 (1973). Here, Borum had completed his sentence for contempt of court and was no longer in custody when he signed the petition on May 18, 2026, and filed at the counter in the South Bend courthouse. For these reasons, this case is DISMISSED for lack of jurisdiction. The clerk is

DIRECTED to close this case. SO ORDERED on May 20, 2026 /s/Cristal C. Brisco
CRISTAL C. BRISCO, JUDGE
UNITED STATES DISTRICT COURT

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