

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Tony Hill v. Tammy Campbell

Hill v. Campbell · No. 1:25-cv-01474-SKO (HC) · Decided November 5, 2025

SUMMARY

The court recommends dismissing a state prisoner’s 28 U.S.C. § 2254 petition because it challenges conditions of confinement rather than the legality or duration of custody. The document explains that such claims must be brought under 42 U.S.C. § 1983 and declines to recharacterize the petition as a civil rights action because it does not name proper defendants or seek appropriate relief. The magistrate judge also directs the Clerk to assign a district judge and provides a 21-day period for objections.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sheila K. Oberto, United States Magistrate Judge
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	November 5, 2025
DOCKET	1:25-cv-01474-SKO (HC)
DISPOSITION	dismissed
PROCEDURAL POSTURE	A state prisoner proceeding pro se and in forma pauperis filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254. A magistrate judge issued findings and a recommendation that the petition be dismissed because it challenged conditions of confinement rather than the legality or duration of custody, and ordered the Clerk to assign a district judge.
STANDARD OF REVIEW	Under Rule 4 of the Rules Governing Section 2254 Cases, a district court may dismiss a habeas petition when it plainly appears from the petition and attached exhibits that the petitioner is not entitled to relief.
PRECEDENTIAL VALUE	Nonprecedential findings and recommendation subject to district-judge review
PARTIES	Tony Hill v. Tammy Campbell

TOPICS

federal habeas corpus

prisoners rights

section 1983

civil procedure

PRACTICE AREAS

federal habeas corpus

civil rights

prisoners rights

QUESTIONS PRESENTED

1. Whether claims challenging prison housing conditions and single-cell status are cognizable in a federal habeas corpus action under 28 U.S.C. § 2254.
2. Whether the court should recharacterize the habeas petition as a civil-rights action under 42 U.S.C. § 1983.
3. Whether the petition should be dismissed under Rule 4 of the Rules Governing Section 2254 Cases.

HOLDINGS

1. A prisoner's challenge to cell assignment and single-cell housing concerns the conditions of confinement, not the legality or duration of confinement, and therefore is not cognizable in a federal habeas action under § 2254. The proper vehicle is a civil-rights action under § 1983.
2. The court should not recharacterize the petition as a civil-rights action because it did not name the proper defendants and was not amenable to conversion on its face.
3. The habeas petition should be dismissed under Rule 4 because it plainly appeared that Hill was not entitled to habeas relief.

KEY QUOTATIONS

“A habeas corpus petition is the correct method for a prisoner to challenge the “legality or duration” of his confinement.” (at 1)

“In contrast, a civil rights action pursuant to 42 U.S.C. § 1983 is the proper method for a prisoner to challenge the conditions of confinement.” (at 1)

“Petitioner’s civil rights claims are not cognizable in a federal habeas action and must be dismissed.” (at 2)

FACTUAL BACKGROUND

Hill is a state prisoner who alleged that prison staff intended to house another inmate in his cell despite his asserted single-cell status. He sought an order requiring that he remain housed alone. The petition did not challenge the validity of his conviction or the duration of his confinement.

PROCEDURAL HISTORY

Hill filed the habeas petition on November 3, 2025. The magistrate judge conducted preliminary review under Rule 4 of the Rules Governing Section 2254 Cases, concluded that the petition raised civil-rights claims concerning single-cell housing, declined to recommend recharacterization as a § 1983 action, and recommended

dismissal with leave to pursue relief in a separate civil-rights action. The findings and recommendation were submitted to the assigned district judge subject to a 21-day objection period.

DISPOSITION

dismissed

CASES CITED

- Herbst v. Cook, 260 F.3d 1039 (9th Cir. 2001)
- Badea v. Cox, 931 F.2d 573, 574 (9th Cir. 1991)
- Preiser v. Rodriguez, 411 U.S. 475, 485, 499 (1973)
- McCarthy v. Bronson, 500 U.S. 136, 141-42 (1991)
- Nettles v. Grounds, 830 F.3d 922, 936 (9th Cir. 2016)
- Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)

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