

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

James Slack v. Warden

No. 3:26cv87 DRL-SJF (N.D. Ind. Feb. 25, 2026) · No. 3:26cv87 DRL-SJF · Decided February 25, 2026

SUMMARY

The United States District Court for the Northern District of Indiana denied James Slack’s habeas corpus petition challenging a prison disciplinary decision. The court held that the disciplinary claims did not affect the fact or duration of his sentence, entered judgment, closed the case, and denied leave to proceed in forma pauperis on appeal.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana, South Bend Division
WRITING FOR THE COURT	Damon R. Leichty
JURISDICTION	United States District Court for the Northern District of Indiana, South Bend Division
DECIDED	February 25, 2026
DOCKET	3:26cv87 DRL-SJF
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Petitioner sought federal habeas relief under 28 U.S.C. § 2254 from a prison disciplinary decision. The district court dismissed the petition under Habeas Corpus Rule 4 and denied leave to proceed in forma pauperis on appeal.
STANDARD OF REVIEW	Under Habeas Corpus Rule 4, the court must dismiss if it plainly appears from the petition and attached exhibits that the petitioner is not entitled to relief.
PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	James Slack v. Warden

TOPICS

- federal habeas corpus
- post-conviction relief
- motions to dismiss
- appellate procedure

PRACTICE AREAS

Federal habeas corpus

Prison disciplinary proceedings

Post-conviction relief

QUESTIONS PRESENTED

1. Whether a § 2254 habeas petition may provide relief from a prison disciplinary decision that does not affect the fact or duration of the petitioner's sentence.
2. Whether a certificate of appealability is required to appeal a decision challenging a prison disciplinary proceeding.
3. Whether petitioner may proceed in forma pauperis on appeal under 28 U.S.C. § 1915(a)(3).

HOLDINGS

1. A § 2254 habeas petition does not state a proper basis for relief when the challenged prison disciplinary proceeding does not affect the fact or duration of the petitioner's sentence.
2. A certificate of appealability is not required to appeal a decision challenging a prison disciplinary proceeding.
3. Slack may not proceed in forma pauperis on appeal because the court found that an appeal could not be taken in good faith.

KEY QUOTATIONS

“[A] habeas corpus petition must attack the fact or duration of one’s sentence; if it does not, it does not state a proper basis for relief under § 2254.”

FACTUAL BACKGROUND

A disciplinary hearing officer at the Miami Correctional Facility found James Slack guilty of possessing an electronic device under Indiana Department of Correction Offense 207. Slack challenged that disciplinary decision through a § 2254 habeas petition, but the petition indicated that no sanction affecting the duration of his sentence, such as loss of earned credit time or demotion in credit class, had been imposed.

PROCEDURAL HISTORY

James Slack, proceeding without counsel, filed a § 2254 habeas petition challenging a disciplinary hearing decision at the Miami Correctional Facility. The court determined from the petition that no sanction affecting the duration of his sentence had been imposed, denied habeas relief, directed entry of judgment and closure of the case, and denied in forma pauperis status for any appeal.

DISPOSITION

writ_denied

CASES CITED

- Washington v. Smith, 564 F.3d 1350, 1351 (7th Cir. 2009)
- Evans v. Circuit Court, 569 F.3d 665, 666 (7th Cir. 2009)

OPINION

Slack

PER CURIAM.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF INDIANA

SOUTH BEND DIVISION

JAMES SLACK,

Petitioner, v. CAUSE NO. 3:26cv87 DRL-SJF

WARDEN,

Respondent.

OPINION AND ORDER

James Slack, a prisoner without a lawyer, filed a habeas petition challenging a disciplinary decision (MCF-24-6-2597) at the Miami Correctional Facility in which a disciplinary hearing officer (DHO) found him guilty of possessing an electronic device under Indiana Department of Correction Offense 207. Pursuant to 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.” “[A] habeas corpus petition must attack the fact or duration of one’s sentence; if it does not, it does not state a proper basis for relief under § 2254.” Washington v. Smith, 564 F.3d 1350, 1351 (7th Cir. 2009). According to the petition, no sanction affecting the duration of Mr. Slack’s sentence, such as a loss of earned credit time or a credit class demotion, was imposed. Because Mr. Slack’s claims do not relate to the fact or duration of his sentence, the court cannot grant him habeas relief. If Mr. Slack wants to appeal this decision, he does not need a certificate of appealability because he is challenging a prison disciplinary proceeding. See Evans v. Circuit Court, 569 F.3d 665, 666 (7th Cir. 2009). However, he may not proceed in forma pauperis on appeal because the court finds pursuant to 28 U.S.C. § 1915(a)(3) that an appeal in this case could not be taken in good faith. For these reasons, the court:

- (1) DENIES the habeas corpus petition (ECF 2);
- (2) DIRECTS the clerk to enter judgment and close this case; and
- (3) DENIES James Slack leave to proceed in forma pauperis on appeal.

SO ORDERED. February 25, 2026 s/ Damon R. Leichty Judge, United States District Court