

**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

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

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