

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

JOHN G. WESTINE,

Petitioner,

v.

CASE NO. 11-3146-RDR

(FNU) HOLLINGSTORTH,

Respondent.

MEMORANDUM AND ORDER

This matter is a petition for habeas corpus filed pursuant to 28 U.S.C. § 2241. Petitioner proceeds pro se, and the court grants leave to proceed in forma pauperis.

The petition alleges petitioner has been denied the full amount of earned good time credits to which he is entitled, resulting in his continuing incarceration.

The exhaustion of available administrative remedies is a prerequisite to federal habeas corpus relief under 28 U.S.C. § 2241. *Garza v. Davis*, 596 F.3d 1198, 1203 (10th Cir. 2010). This exhaustion requirement is met by the proper use of the available administrative remedies, including compliance with agency deadlines and procedure. *See Woodford v. Ngo*, 548 U.S. 81, 90-91 (2006).

Because the petition does not state whether petitioner has pursued administrative remedies before commencing this action, the court will direct him to supplement the petition with that

information.

IT IS, THEREFORE, BY THE COURT ORDERED petitioner's motion for leave to proceed in forma pauperis (Doc. 2) is granted.

IT IS FURTHER ORDERED petitioner is granted to and including August 31, 2011, to supplement the petition with a statement of his use of administrative remedies.

A copy of this order shall be transmitted to the petitioner.

IT IS SO ORDERED.

DATED: This 15th day of August, 2011, at Topeka, Kansas.

S/ Richard D. Rogers
RICHARD D. ROGERS
United States District Judge