

UNPUBLISHED

**UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

STACY L. EWELL, <i>Plaintiff-Appellant,</i> v. RONALD J. ANGELONE, <i>Defendant-Appellee.</i>	}
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No. 02-7185

Appeal from the United States District Court  
for the Eastern District of Virginia, at Alexandria.  
Claude M. Hilton, Chief District Judge.  
(CA-02-622-AM)

Submitted: December 19, 2002

Decided: January 30, 2003

Before LUTTIG and MICHAEL, Circuit Judges, and  
HAMILTON, Senior Circuit Judge.

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Vacated and remanded by unpublished per curiam opinion.

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**COUNSEL**

Stacy L. Ewell, Appellant Pro Se.

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Unpublished opinions are not binding precedent in this circuit. See  
Local Rule 36(c).

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**OPINION**

## PER CURIAM:

Stacy L. Ewell, a Virginia prisoner, filed a habeas petition under 28 U.S.C. § 2254 (2000), seeking immediate release from confinement. Ewell alleged in his § 2254 petition that his good conduct credits were improperly denied and calculated such that he should have been released from confinement in November 1999. The district court analyzed his claims under 42 U.S.C. § 1983 (2000) and dismissed the action for failure to state a claim under 28 U.S.C. § 1915A (2000).

The core of Ewell's lawsuit is an attack on the length of his confinement. Such a claim sounds in habeas corpus, rather than § 1983. *See Preiser v. Rodriguez*, 411 U.S. 475, 497-500 (1973); *Todd v. Baskerville*, 712 F.2d 70, 73 (4th Cir. 1983). Accordingly, we vacate and remand for the district court to analyze Ewell's claims in the context of a § 2254 petition consistent with this opinion. We decline to address any of Ewell's habeas claims on the merits.

*VACATED AND REMANDED*