

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT**

United States Court of Appeals  
Fifth Circuit

**FILED**

August 4, 2020

Lyle W. Cayce  
Clerk

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No. 19-10626  
Summary Calendar

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DENNIS BOYLE,

Petitioner-Appellant

v.

WARDEN WILSON,

Respondent-Appellee

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 4:19-CV-327

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Before JOLLY, ELROD, and GRAVES, Circuit Judges.

PER CURIAM:\*

Dennis Boyle, federal prisoner # 75596-097, appeals the dismissal for lack of subject matter jurisdiction of his 28 U.S.C. § 2241 petition challenging the constitutionality of certain Bureau of Prisons program statements that restrict his ability to use the prison's electronic messaging system. The district court held that Boyle's challenge was to the conditions of his confinement and, as such, it was not cognizable on § 2241 review. We review de novo the district

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\* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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court's dismissal of the § 2241 petition on the pleadings. *See Pack v. Yusuff*, 218 F.3d 448, 451 (5th Cir. 2000).

A § 2241 habeas petition is the proper procedural vehicle for challenging an action that “directly implicates the duration of” a prisoner’s confinement. *Davis v. Fechtel*, 150 F.3d 486, 487, 490 (5th Cir. 1998). It is not, however, the proper procedural vehicle for claims, such as Boyle’s, regarding the conditions of confinement. *See id.* at 490; *Carson v. Johnson*, 112 F.3d 818, 820-21 (5th Cir. 1997). Boyle therefore has shown no error on the part of the district court. *See Pack*, 218 F.3d at 451.

AFFIRMED.