

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TEXAS, EL PASO DIVISION

Hugo Cesar Granados v. Charisma Edge, Warden

Granados · No. EP-26-CV-52-LS · Decided January 22, 2026

SUMMARY

The United States District Court for the Western District of Texas dismissed without prejudice Hugo Cesar Granados’s third pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court held that Granados was challenging his conviction and sentence rather than the execution or duration of his sentence, and that he had not shown that a motion under 28 U.S.C. § 2255 was inadequate or ineffective under the savings clause. The court dismissed for lack of jurisdiction, denied a certificate of appealability to the extent the petition was construed as a § 2255 motion, and warned against repetitive or abusive filings.

CASE DETAILS

COURT	United States District Court for the Western District of Texas, El Paso Division
WRITING FOR THE COURT	Leon Schydlower
JURISDICTION	United States District Court for the Western District of Texas, El Paso Division
DECIDED	January 22, 2026
DOCKET	EP-26-CV-52-LS
DISPOSITION	dismissed
PROCEDURAL POSTURE	Granados, a federal prisoner proceeding pro se, filed a third petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging his federal conviction and sentence. The district court screened the petition and dismissed it without prejudice for lack of jurisdiction.
STANDARD OF REVIEW	Initial screening of a § 2241 petition under 28 U.S.C. §§ 2243 and 2241; the court accepts the petitioner's allegations as true for screening purposes but requires more than labels and conclusions.
PRECEDENTIAL VALUE	Unknown; memorandum opinion and order from a federal district court
PARTIES	Hugo Cesar Granados v. Charisma Edge, Warden

TOPICS

federal habeas corpus

post-conviction relief

successive petitions

subject matter jurisdiction

pleadings

PRACTICE AREAS

Federal habeas corpus

Post-conviction relief

Federal criminal procedure

QUESTIONS PRESENTED

1. Whether a federal prisoner may use a § 2241 petition to challenge the validity of his conviction and sentence when he has not filed a § 2255 motion in the sentencing court.
2. Whether Granados demonstrated that the remedy provided by § 2255 was inadequate or ineffective so that his claims could proceed under the § 2255(e) savings clause.
3. Whether the district court had jurisdiction to address Granados's § 2241 claims.

HOLDINGS

1. A federal prisoner challenging the validity of his conviction or sentence must generally proceed under 28 U.S.C. § 2255 rather than § 2241.
2. Granados did not demonstrate that § 2255 was inadequate or ineffective to test the legality of his detention, and therefore he could not proceed under the savings clause.
3. When a federal prisoner cannot satisfy the § 2255(e) savings clause, the § 2241 petition must be dismissed for lack of jurisdiction.

KEY QUOTATIONS

“A section 2241 petition for habeas corpus on behalf of a sentenced prisoner attacks the manner in which his sentence is carried out or the prison authorities’ determination of its duration.” (at 4)

“The inability of a prisoner with a statutory claim to satisfy those conditions does not mean that he can bring his claim in a habeas petition under the saving clause. It means that he cannot bring it at all.” (at 5)

“The Court concludes that Granados cannot meet his burden of demonstrating the inadequacy or ineffectiveness of a § 2255 motion to test the legality of his sentence.” (at 6)

FACTUAL BACKGROUND

Granados was convicted in the Northern District of Texas of conspiracy to defraud the United States and aiding and assisting in the preparation and presentation of false documents arising from a tax-refund scheme. He was sentenced to 168 months' imprisonment, and the Fifth Circuit affirmed his conviction. While confined in the Western District of Texas, he filed a third § 2241 petition challenging the validity of his conviction and sentence, alleging constitutional violations, lack of probable cause, perjured testimony, and lack of governmental and judicial jurisdiction. Granados had not filed a motion under 28 U.S.C. § 2255 in the sentencing court and identified no circumstances making that remedy inadequate or ineffective.

PROCEDURAL HISTORY

Granados was convicted and sentenced in the Northern District of Texas and his conviction was affirmed by the Fifth Circuit. He previously filed two § 2241 petitions in the Western District of Texas, both dismissed without prejudice for lack of jurisdiction because his claims challenged the conviction or sentence and did not satisfy the § 2255(e) savings clause. In this third petition, the district court again determined that Granados had not shown that a § 2255 motion was inadequate or ineffective and dismissed the petition without prejudice.

DISPOSITION

dismissed

CASES CITED

- United States v. Granados, No. 22-11181, 2024 WL 3181456, at *1 (5th Cir. June 26, 2024)
- Granados v. Hajar, No. EP-24-cv-234-LS, 2024 WL 3748053, at *1-3 (W.D. Tex. July 15, 2024)
- Pack v. Yusuff, 218 F.3d 448, 451 (5th Cir. 2000)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555-56 (2007)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Padilla v. United States, 416 F.3d 424, 425-26 (5th Cir. 2005)
- Jones v. Hendrix, 599 U.S. 465, 469, 474, 478, 480 (2023)
- Christopher v. Miles, 342 F.3d 378, 379, 385 (5th Cir. 2003)

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