

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
INDIANA

Elbert Howard v. State of Indiana

Howard · No. 4:25-cv-00255-TWP-KMB · Decided May 1, 2026

SUMMARY

The United States District Court for the Southern District of Indiana dismissed Elbert Howard's 28 U.S.C. § 2241 habeas petition for lack of subject-matter jurisdiction. The court concluded that the petition became moot after Howard pleaded guilty and was sentenced in his state criminal case, denied his motions for court assistance as moot, and denied a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the Southern District of Indiana
WRITING FOR THE COURT	Tanya Walton Pratt
JURISDICTION	United States District Court for the Southern District of Indiana
DECIDED	May 1, 2026
DOCKET	4:25-cv-00255-TWP-KMB
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought federal habeas relief under 28 U.S.C. § 2241 from pretrial detention in an Indiana criminal case. After the court ordered him to show cause why the petition should not be dismissed, he filed motions for court assistance and a supporting brief. The court dismissed the action for lack of subject matter jurisdiction after taking judicial notice that he had pleaded guilty and been sentenced.
PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Elbert Howard v. State of Indiana

TOPICS

- federal habeas corpus
- subject matter jurisdiction
- post-conviction relief
- civil procedure

PRACTICE AREAS

- Federal habeas corpus
- Federal civil procedure
- Subject matter jurisdiction

QUESTIONS PRESENTED

1. Whether Howard's § 2241 petition challenging pretrial detention became moot, depriving the federal court of subject matter jurisdiction, after he pleaded guilty and was sentenced.
2. Whether Howard's motions for court assistance should be denied as moot.
3. Whether a certificate of appealability should issue.

HOLDINGS

1. A pretrial detainee's § 2241 habeas petition becomes moot when the detainee becomes a convicted offender because there is no longer a case or controversy, depriving the court of subject matter jurisdiction.
2. Howard's motions for court assistance were denied as moot because the underlying habeas action was dismissed for lack of jurisdiction.
3. A certificate of appealability was denied because jurists of reason would not disagree with the conclusion that the court lacked jurisdiction over the habeas petition.

KEY QUOTATIONS

“A pretrial detainee's petition for a writ of habeas corpus pursuant to Section 2241 becomes moot when he becomes a convicted offender.”

“The case becomes moot because there is no longer a case or controversy for the Court to consider which deprives the Court of subject matter jurisdiction.”

FACTUAL BACKGROUND

Howard was a pretrial detainee in an Indiana criminal case and filed a federal habeas petition under § 2241 challenging that detention. During the federal proceeding, he pleaded guilty on February 12, 2026, and was sentenced on March 16, 2026. His later filings sought court assistance concerning jail mail and his ongoing criminal proceedings.

PROCEDURAL HISTORY

Howard filed a § 2241 petition challenging his pretrial detention in Indiana case number 40C01-2505-F6-000103. The court ordered him to show cause because the petition did not present cognizable § 2241 claims and potentially cognizable claims had not been exhausted. Howard responded with motions concerning jail mail and assistance with his state criminal proceedings, and filed a supporting brief. The court took judicial notice that he pleaded guilty on February 12, 2026, and was sentenced on March 16, 2026, then dismissed the federal action for lack of jurisdiction and denied his motions as moot.

DISPOSITION

dismissed

CASES CITED

- Jackson v. Clements, 796 F.3d 841, 842-43 (7th Cir. 2015) (per curiam)
- Fed'n of Adver. Indus. Representatives, Inc. v. City of Chicago, 326 F.3d 924, 929 (7th Cir. 2003)

OPINION

HOWARD

PER CURIAM.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF INDIANA

NEW ALBANY DIVISION

ELBERT HOWARD,)

) Petitioner,)) v.) No. 4:25-cv-00255-TWP-KMB)

STATE OF INDIANA,)

) Respondent.) Order Dismissing Action for Lack of Jurisdiction This matter is before the Court on Petitioner Elbert Howard's Motions for Court Assistance, (Dkts. 9,11). For the reasons explained below the motions are denied as moot and this action is dismissed for lack of jurisdiction. Mr. Howard initiated this action by filing a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241, challenging his pretrial detention in Indiana case number 40C01-2505-F6-000103. (Dkt. 1). The Court ordered Mr. Howard to show cause why his petition should not be dismissed without prejudice because he did not present any cognizable claims in a § 2241 petition, nor had he exhausted potentially cognizable claims. (Dkt. 5). Mr. Howard responded to the order by filing a motion for court assistance regarding a jail officer opening his mail, (Dkt. 9), and a motion for court assistance in which he asked if the Court could assist him with his ongoing criminal proceedings, (Dkt. 11). He also filed a brief in support of his petition for writ of habeas corpus, (Dkt. 12). While the Court could have dismissed Mr. Howard's petition earlier for failure to present a cognizable claim, it dismisses it on another basis: lack of jurisdiction. The Court takes judicial notice that Mr. Howard pleaded guilty on February 12, 2026, and he was sentenced on March 16, 2026. See Case Summary, 40C01-2505-F6-000103, available at mycase.in.gov. A pretrial detainee's petition for a writ of habeas corpus pursuant to Section 2241 becomes moot when he becomes a convicted offender. Jackson v. Clements, 796 F.3d 841, 842-43 (7th Cir. 2015) (per curiam) (collecting cases). The case becomes moot because there is no longer a case or controversy for the Court to consider which deprives the Court of subject matter jurisdiction. /d. at 843 (citing Fed'n of Adver. Indus. Representatives, Inc. v. City of Chicago, 326 F.3d 924, 929 (7th Cir. 2003)). Therefore, Mr. Howard's petition is dismissed for lack of jurisdiction. This dismissal does not preclude Mr. Howard from filing a petition for writ of habeas corpus under 28 U.S.C. § 2254 after he exhausts all claims in state court (both on direct appeal and through any relevant collateral proceedings). As explained above, this action is DISMISSED for lack of jurisdiction. The Motions for Court Assistance, Dkts. [9] and [11], are DENIED as moot. Because the Court finds that jurists of reason would not disagree with the Court's conclusion that it lacks jurisdiction

over Mr. Howard's habeas petition, a certificate of appealability is DENIED. See 28 U.S.C. § 2253(c)(1). Final judgment shall issue in a separate Order. SO ORDERED. Date: 5/1/2026 A wD
atten Yn ath Hon. Tah Walton Pratt, Judge United States District Court Southern District of
Indiana Distribution:

ELBERT HOWARD

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