

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
ALABAMA, EASTERN DIVISION

Reginald Burrell v. Catrina Hooks-Robbins

Burrell · No. 3:25-CV-210-WKW · Decided April 1, 2026

SUMMARY

The United States District Court for the Middle District of Alabama denied Reginald Burrell’s Rule 60(b) motion seeking relief from the dismissal of his 28 U.S.C. § 2241 habeas petition. The court held that the petition was an unauthorized second or successive application under 28 U.S.C. § 2244(b)(3) (A), because Burrell’s prior federal habeas petition had been adjudicated on the merits for purposes of the successive-petition bar. The court also granted his motion to amend to the extent that it considered the arguments presented.

CASE DETAILS

COURT	United States District Court for the Middle District of Alabama, Eastern Division
WRITING FOR THE COURT	W. Keith Watkins
JURISDICTION	United States District Court for the Middle District of Alabama, Eastern Division
DECIDED	April 1, 2026
DOCKET	3:25-CV-210-WKW
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner moved under Federal Rule of Civil Procedure 60(b)(6) for relief from the court's prior final judgment dismissing his 28 U.S.C. § 2241 habeas petition for lack of subject matter jurisdiction. The court considered the motion, an amended motion, and a reply, and denied relief.
STANDARD OF REVIEW	Relief under Rule 60(b)(6) is available only for any other reason that justifies relief from a final judgment; the court found no sufficient basis to revisit its judgment.
PRECEDENTIAL VALUE	unpublished, nonprecedential district-court order
PARTIES	Reginald Burrell v. Catrina Hooks-Robbins

TOPICS

federal habeas corpus

successive petitions

subject matter jurisdiction

motion for reconsideration

post-conviction relief

PRACTICE AREAS

Federal habeas corpus

Post-conviction relief

Federal civil procedure

Appellate procedure

QUESTIONS PRESENTED

1. Whether Burrell was entitled to relief under Rule 60(b)(6) based on his argument that the prior § 2254 petition's dismissal without prejudice meant that the present § 2241 petition was not second or successive.
2. Whether the present § 2241 petition was a second or successive application under 28 U.S.C. § 2244(b)(3)(A) despite being styled under § 2241 rather than § 2254.
3. Whether the court possessed subject matter jurisdiction to consider the successive petition absent prior authorization from the Eleventh Circuit.

HOLDINGS

1. The prior petition's label as dismissed without prejudice did not control. The court must examine the substance of the prior proceedings and what actually happened; because the prior petition was adjudicated on the merits for second-or-successive purposes and final judgment was entered, the present petition was successive.
2. A state prisoner may not evade the restrictions of § 2244(b)(3)(A) by characterizing a successive habeas petition as one brought under § 2241 instead of § 2254.
3. The district court lacked subject matter jurisdiction to consider the successive § 2241 petition because Burrell had not obtained authorization from the Eleventh Circuit under § 2244(b)(3)(A).
4. Burrell was not entitled to relief from the final judgment under Rule 60(b)(6).

KEY QUOTATIONS

“Because Petitioner’s 2020 federal habeas petition was dismissed on the merits and final judgment was entered, he must obtain authorization from the Eleventh Circuit Court of Appeals to file this successive § 2241 petition.” (at 17–19)

“Without this authorization, the district court “lacks subject matter jurisdiction to consider the second or successive petition.”” (at 19)

FACTUAL BACKGROUND

Burrell is a state prisoner challenging the execution of his robbery and escape sentences, including the allegedly partially consecutive execution of those sentences, the effect on good-time credits, and the calculation of his release date. He previously filed a § 2254 petition in the Southern District of Alabama raising materially the same claims, and that petition was dismissed with a procedural-default ruling and an alternative ruling that state-

law issues were not cognizable in federal habeas review. He later filed the present § 2241 petition without obtaining authorization from the Eleventh Circuit to file a second or successive application.

PROCEDURAL HISTORY

On January 26, 2026, the court dismissed Burrell's § 2241 petition without prejudice because it was an unauthorized second or successive habeas application and entered final judgment. Burrell filed a Rule 60(b) motion, later amended, arguing that his earlier § 2254 petition had been dismissed without prejudice and therefore did not make the present petition successive. The court concluded that the earlier petition had been adjudicated on the merits for purposes of § 2244(b), reaffirmed its lack of jurisdiction absent Eleventh Circuit authorization, granted the motion to amend only insofar as the arguments were considered, and denied Rule 60(b) relief.

DISPOSITION

other

CASES CITED

- Dunn v. Singletary, 168 F.3d 440, 441–42 (11th Cir. 1999)
- United States v. Taylor, 152 F.4th 1297, 1307 (11th Cir. 2025)
- Rivers v. Guerrero, 605 U.S. 443, 459 (2025)
- Morales v. Fla. Dep't of Corr., 346 F. App'x 539, 540 (11th Cir. 2009)
- Johnson v. Warden, Ga. Diagnostic & Classification Prison, 805 F.3d 1317, 1323 (11th Cir. 2015)
- Beazley v. Johnson, 242 F.3d 248, 261 (5th Cir. 2001)
- Tong v. United States, 81 F.4th 1022, 1025 (9th Cir. 2023)
- Jones v. McNeil, 776 F. Supp. 2d 1323, 1359 (S.D. Fla. 2011)
- Jennings v. Secretary, Florida Department of Corrections, 108 F.4th 1299, 1302 (11th Cir. 2024)
- Jennings v. Dixon, 145 S. Ct. 1472 (2025)