

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
ARKANSAS

Mabray v. Humphrey

Mabray · No. 2:26-cv-00002-BSM-JJV · Decided February 12, 2026

SUMMARY

Proposed Findings and Recommendations from the United States District Court for the Eastern District of Arkansas concerning Nick Allen Mabray’s 28 U.S.C. § 2241 petition. The magistrate judge recommends dismissal without prejudice because Mabray failed to exhaust the Bureau of Prisons’ administrative remedies and, alternatively, because pretrial home confinement does not constitute official detention eligible for sentencing credit under 18 U.S.C. § 3585(b). The recommendation is dated February 12, 2026.

CASE DETAILS

COURT	United States District Court for the Eastern District of Arkansas
WRITING FOR THE COURT	Joe J. Volpe
DECIDED	February 12, 2026
DOCKET	2:26-cv-00002-BSM-JJV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner's pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenged the Bureau of Prisons' refusal to credit pretrial home-confinement time toward his federal sentence. A magistrate judge conducted preliminary review under Rule 4 and issued proposed findings and recommendations that the petition be dismissed without prejudice.
STANDARD OF REVIEW	Preliminary habeas review under Rule 4; dismissal is appropriate when it plainly appears from the petition and attached materials that the petitioner is not entitled to relief.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Nick Allen Mabray v. C. Humphrey, Complex Warden, FCC Forrest City Low

TOPICS

federal habeas corpus

exhaustion of remedies

sentence modification

statutory interpretation

post-conviction relief

PRACTICE AREAS

federal habeas corpus

criminal sentencing

administrative exhaustion

QUESTIONS PRESENTED

1. Whether Mabray was required to exhaust the Bureau of Prisons' administrative-remedy process before seeking habeas relief concerning the execution and computation of his sentence.
2. Whether pretrial home confinement constitutes official detention under 18 U.S.C. § 3585(b) and therefore qualifies for credit toward a federal term of imprisonment.
3. Whether the petition should be dismissed without prejudice under Rule 4.

HOLDINGS

1. A prisoner challenging the Bureau of Prisons' execution or computation of a sentence must first present the claim through the Bureau's complete administrative-remedy process before instituting a habeas action, absent a sufficient basis for excusing exhaustion. Mabray's futility, legal-question, irreparable-harm, and lack-of-agency-authority arguments did not excuse exhaustion.
2. Pretrial home confinement is not official detention within the meaning of 18 U.S.C. § 3585(b) when the defendant is released on conditions of pretrial release rather than committed to the custody of the Attorney General; therefore, the time is not creditable toward the federal sentence.

KEY QUOTATIONS

“Again, it is not until after a prisoner presents his claim to the BOP, and proceeds through the entire Administrative Remedy Program, that he may institute a habeas action to contest an unfavorable decision.”
(Section III.A)

“But the United States Supreme Court has held “that the phrase ‘official detention’ in § 3585(b) refers to a court order detaining a defendant and committing him to the custody of the Attorney General for confinement.”” (Section III.B)

“IT IS, THEREFORE, RECOMMENDED that the Petition for Writ of Habeas Corpus (Doc. No. 1) be DISMISSED without prejudice and the requested relief be DENIED.” (Section IV)

FACTUAL BACKGROUND

Mabray was convicted in the Eastern District of Oklahoma and ultimately sentenced to 114 months' imprisonment followed by three years of supervised release after resentencing. Before trial, he was placed on home confinement. He alleged that the Bureau of Prisons refused to credit that period toward his sentence, asserting that the restrictions were punitive, restrictive, and custodial. He filed a § 2241 petition without stating that he had completed the Bureau of Prisons' administrative-remedy process.

PROCEDURAL HISTORY

Mabray was convicted and sentenced in the Eastern District of Oklahoma, and the Tenth Circuit later vacated his sentence and ordered resentencing. After resentencing, he filed this § 2241 petition in the Eastern District of Arkansas, asserting entitlement to credit for pretrial home confinement under 18 U.S.C. § 3585(b). The magistrate judge recommended dismissal without prejudice because Mabray had not exhausted the Bureau of Prisons' administrative-remedy process and, alternatively, because pretrial home confinement is not official detention qualifying for sentencing credit.

DISPOSITION

dismissed

CASES CITED

- United States v. Mabray et al., 6:22-cr-00071-RAW (E.D. Okla. 2025)
- United States v. Mabray, No. 24-7018 (10th Cir. 2024)
- Mathena v. United States, 577 F.3d 943, 946 (8th Cir. 2009)
- United States v. Chappel, 208 F.3d 1069, 1069 (8th Cir. 2000) (per curiam)
- United States v. Wilson, 503 U.S. 329, 335 (1992)
- Woodford v. Ngo, 548 U.S. 81, 90 (2006)
- Reno v. Koray, 515 U.S. 50, 52, 56 (1995)
- United States v. Wickman, 955 F.2d 592, 593 (8th Cir. 1992)