

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Hullon v. Gunther

No. 1:25-cv-00183-EPG-HC (E.D. Cal. Feb. 28, 2025) · No. 1:25-cv-00183-EPG-HC · Decided February 28, 2025

SUMMARY

The United States District Court for the Eastern District of California ordered the transfer of Ashley Hullon's 28 U.S.C. § 2241 habeas petition to the District of Arizona. The court held that because Hullon challenged the execution of her sentence and was incarcerated in Arizona, the petition belonged in the custodial court.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	February 28, 2025
DOCKET	1:25-cv-00183-EPG-HC
DISPOSITION	other
PROCEDURAL POSTURE	Federal prisoner filed a petition for writ of habeas corpus under 28 U.S.C. § 2241 challenging the denial of First Step Act eligibility and the application of credits. The court transferred the action to the District of Arizona because petitioner was confined there and challenged the execution of her sentence.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status unknown
PARTIES	Ashley Hullon, Petitioner v. Gunther, Respondent

TOPICS

- federal habeas corpus
- subject matter jurisdiction
- venue
- civil procedure

PRACTICE AREAS

- habeas corpus
- federal sentencing
- federal jurisdiction

QUESTIONS PRESENTED

1. Whether a federal prisoner's § 2241 petition challenging the execution and computation of a sentence must be heard in the district containing the prisoner's custodial facility.
2. Whether the action should be transferred to the District of Arizona under 28 U.S.C. § 1631.

HOLDINGS

1. A federal prisoner's petition challenging the manner, location, or conditions of sentence execution must be brought in the custodial court. Because Hullon was confined in Arizona and challenged the application of First Step Act credits to her sentence, the District of Arizona was the proper court.
2. The action should be transferred to the United States District Court for the District of Arizona under 28 U.S.C. § 1631.

KEY QUOTATIONS

“petitions that challenge the manner, location, or conditions of a sentence’s execution must be brought pursuant to § 2241 in the custodial court.” (at 1)

FACTUAL BACKGROUND

Ashley Hullon, a federal prisoner, challenged the denial of her eligibility for First Step Act credits and the application of credits to her sentence computation. She was housed at the Federal Correctional Institution in Phoenix, Arizona. The requested relief was an order directing the Federal Bureau of Prisons to apply all earned First Step Act credits.

PROCEDURAL HISTORY

Petitioner filed the § 2241 petition in the Eastern District of California on February 6, 2025. The court determined that the petition challenged the execution of petitioner's sentence and therefore belonged in the custodial district, where petitioner was housed. The court transferred the action to the United States District Court for the District of Arizona under 28 U.S.C. § 1631.

DISPOSITION

other

REMAND INSTRUCTIONS

The action was transferred to the United States District Court for the District of Arizona.

CASES CITED

- Hernandez v. Campbell, 204 F.3d 861, 864 (9th Cir. 2000)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 ASHLEY HULLON, Case No. 1:25-cv-00183-EPG-HC 12 Petitioner,

ORDER TRANSFERRING CASE TO THE UNITED STATES DISTRICT COURT FOR 13 v.
THE DISTRICT OF ARIZONA 14 GUNTHER, 15 Respondent. 16 17 Petitioner Ashley Hullon is
a federal prisoner proceeding pro se with a petition for writ of 18 habeas corpus pursuant to 28
U.S.C. § 2241.

19 On February 6, 2025, Petitioner filed the instant petition for writ of habeas corpus, 20
challenging the denial of First Step Act eligibility and application of credits. (ECF No. 1 at 2.1) 21
For federal prisoners, “petitions that challenge the manner, location, or conditions of a sentence’s
22 execution must be brought pursuant to § 2241 in the custodial court.” *Hernandez v. Campbell*,
23 204 F.3d 861, 864 (9th Cir.

2000). Here, Petitioner requests that the Court order the Federal 24 Bureau of Prisons to apply all
earned First Step Act credits to her sentence computation, and 25 Petitioner is currently housed at
the Federal Correctional Institution in Phoenix, Arizona. (ECF 26 No. 1 at 7, 1.)

As Petitioner is challenging the execution of her sentence, the petition must be 27 1 | heard in the
custodial court, which is the District of Arizona. Therefore, this action will be 2 | transferred. See
28 U.S.C. § 1631 (allowing transfer to cure want of jurisdiction). 3 Accordingly, IT IS HEREBY
ORDERED that this action is TRANSFERRED to the 4 | United States District Court for the
District of Arizona.

5 6 IT IS SO ORDERED. 7) Dated: _ February 28, 2025 [Je hey 8 UNITED STATES
MAGISTRATE JUDGE 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28