

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

Greudy Santos Disla v. Michael Underwood

Santos Disla v. Underwood · No. 3:24-cv-00267 · Decided January 21, 2026

SUMMARY

The United States District Court for the Western District of Pennsylvania adopted the Magistrate Judge's Report and Recommendation in part, agreeing that Greudy Santos Disla was ineligible for earned time credits. The court dismissed his 28 U.S.C. § 2241 petition with prejudice as moot because he had been released from Bureau of Prisons custody, and denied a certificate of appealability.

OPINION

UNDERWOOD

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF PENNSYLVANIA

GREUDY SANTOS DISLA,)

) Petitioner,)) v.)) Civil Action No. 3:24-267 MICHAEL UNDERWOOD,) Judge Nora Barry
Fischer) Magistrate Judge Keith Pesto Respondent.)

MEMORANDUM ORDER

AND NOW, this 21st day of January, 2026, upon consideration of the Report and Recommendation filed by United States Magistrate Judge Keith A. Pesto on February 21, 2025, (Docket No. 7), recommending that the § 2241 habeas petition filed by Petitioner Greudy Santos Disla challenging the decision that he is not entitled to earned time credits against his sentence due to the nature of his conviction be denied as he is statutorily ineligible for same, and directed that objections be filed within 14 days such that objections from non-ECF users were due by March 10, 2025, and no objections having been filed as of the date of this Order, this matter having been recently reassigned to the undersigned for prompt disposition, and upon independent review of the record and de novo consideration of the Magistrate Judge's February 21, 2025 Report and Recommendation, (Docket No. 7), IT IS HEREBY ORDERED that the Magistrate Judge's February 21, 2025 Report and Recommendation is ADOPTED as the opinion of this Court, in part, as the Court agrees that Petitioner is ineligible for earned time credits. However, as the BOP Inmate Locator tool states that Petitioner was released from all forms of BOP custody as of August 11, 2025, this Petition must be dismissed, as moot, see e.g., *Malik v. Warden Loretto FCI*, No. 23-2281, 2024 WL 3649570, at *2 (3d Cir. Aug. 5, 2024) ("Because Malik had been released to prerelease custody, his request for release to such custody was moot. [...] Regardless of

whether his request for an earlier transfer to supervised release was moot at the time of the Magistrate Judge's order or simply meritless because he had already received the maximum credit allowed towards an earlier release from custody to supervised release, see § 3624(g)(3), such a request is moot now that Malik is on supervised release.”); *Constantine v. United States*, No. 1:23-CV-22, 2023 WL 6811999, at *2 (W.D. Pa. Aug. 28, 2023), report and recommendation adopted, No. CV 23-22, 2023 WL 6810862 (W.D. Pa. Oct. 16, 2023) (“Since the BOP released Petitioner from its custody, there is no longer any habeas relief that this Court can provide.”); IT IS FURTHER ORDERED that the § 2241 Petition (Docket No. 6) is dismissed, with prejudice, as moot and no certificate of appealability shall issue, see *Goodloe v. Warden Lewisburg USP*, 2025 WL 342189, *1, n.1 (3d Cir. 2025) (citing *Reese v. Warden Phila. FDC*, 904 F.3d 244, 246 (3d Cir. 2018) (“a federal prisoner challenging the denial of a § 2241 petition, he need not obtain a certificate of appealability”)); and, IT IS FURTHER ORDERED that an appropriate Judgment follows. s/Nora Barry Fischer Nora Barry Fischer Senior U.S. District Judge cc/ecf: Magistrate Judge Keith A. Pesto cc: Greudy Santos Disla, Reg. No. 16689-510 F.C.I. Loretto P.O. Box 1000 Cresson, PA 16630 (via first class mail)