

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

Khan v. Lillard

Khan · No. 3:25-cv-00339-GCS · Decided April 20, 2026

SUMMARY

The United States District Court for the Southern District of Illinois denied Khatija Khan’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. Khan sought First Step Act time credits for periods spent in administrative detention and on a federal writ, but the court concluded she had not shown successful participation in qualifying evidence-based recidivism reduction programming or productive activities during those periods. The matter was dismissed with prejudice and closed.

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	Gilbert C. Sison
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	April 20, 2026
DOCKET	3:25-cv-00339-GCS
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241, challenging the Bureau of Prisons' calculation of First Step Act time credits. The court denied the petition and dismissed the matter with prejudice.
STANDARD OF REVIEW	A § 2241 petitioner must show custody in violation of the Constitution or laws of the United States. The court reviewed whether the Bureau of Prisons properly calculated and applied First Step Act time credits.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court memorandum
PARTIES	Khatija Khan v. Thomas Lillard, Warden

TOPICS

- federal habeas corpus
- post-conviction relief
- exhaustion of remedies
- administrative law
- statutory interpretation

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Khan was entitled under the First Step Act to 44 days of time credit for periods of administrative detention and custody on a writ.
2. Whether Khan had established successful participation in evidence-based recidivism reduction programming or productive activities sufficient to earn the claimed credits.
3. Whether the court needed to resolve whether the Bureau of Prisons' regulations governing the availability of First Step Act time credits conflicted with the governing statute.

HOLDINGS

1. Khan was not entitled to the claimed 44 days of First Step Act time credit because she failed to demonstrate that she successfully participated in evidence-based recidivism reduction programming or productive activities during the relevant periods.
2. The court did not need to decide whether the Bureau of Prisons' regulations conflicted with the First Step Act because Khan failed to establish the underlying factual prerequisite of successful participation in qualifying programming or activities.

KEY QUOTATIONS

“To be entitled to FSA time credit, Khan had to successfully participate in EBRR programming or PAs during these time frames.” (5)

“Instead, it appears she is seeking FSA time credit simply because she was sentenced and incarcerated.” (5)

“The Court DISMISSES with prejudice this matter.” (6)

FACTUAL BACKGROUND

Khan was sentenced in the District of Connecticut to 60 months' imprisonment for conspiracy to commit mail fraud and mail fraud, followed by three years of supervised release. She entered Bureau of Prisons custody on April 14, 2023, and was housed at FCI Greenville when she filed her petition. She claimed one day of credit for administrative detention before her sentence commenced and 43 days of credit for a period during which she was on a writ. The court found that she had not shown successful participation in evidence-based recidivism reduction programming or productive activities during either period.

PROCEDURAL HISTORY

Khan filed a § 2241 petition on March 11, 2025, claiming entitlement to 44 days of First Step Act time credits for periods spent in administrative detention and on a writ of habeas corpus ad testificandum. The court ordered a response, and Respondent opposed the petition. After the parties consented to disposition by the magistrate judge, the court denied the petition, dismissed the action with prejudice, directed entry of judgment, and ordered the case closed.

DISPOSITION

dismissed

CASES CITED

- United States v. Khan, Case No. 3:19-CR-00314-SRU-2 (D. Conn.)
- Valona v. United States, 138 F.3d 693, 694 (7th Cir. 1998)
- United States v. Wilson, 503 U.S. 329, 335 (1992)
- Richmond v. Scibana, 387 F.3d 602, 604 (7th Cir. 2004)
- Clemente v. Allen, 120 F.3d 703, 705 (7th Cir. 1997) (per curiam)
- Borker v. Bowers, Civil No. 24-10045-LTS, 2024 WL 2186742, at *2 (D. Mass. May 15, 2024)
- Wong v. Warden, No. 4:24-CV-04117-CBK, 2024 WL 4027918, at *2 (D. S.D. Sept. 3, 2024)
- Patel v. Barron, Case No. C23-937-KKE, 2023 WL 6311281, at *5 (W.D. Wash. Sept. 28, 2023)
- Yufenyuy v. Warden, FCI Berlin, 659 F. Supp. 3d 213, 218 (D.N.H. 2023)
- Sharma v. Peters, Case No. 2:24-CV-158-RAH-KFP, 2024 WL 4668135, at *9 (M.D. Ala. Nov. 4, 2024)
- Stevens v. Jacquez, Case No. 3:23-CV-01482-AA, 2024 WL 3200546, at *4 (D. Or. June 25, 2024)
- Solberg v. Eischen, Case No. 23-cv-3568 (ECT/DTS), 2024 WL 3251713, at *2 (D. Minn. May 7, 2024), report and recommendation adopted, 2024 WL 3086630, at *1 (D. Minn. June 21, 2024)
- Dane v. Bayless, Civil Action No. 5:24-CV-157, 2024 WL 5150683, at *3-5 (N.D. W. Va. Nov. 20, 2024), report and recommendation adopted, 2024 WL 5150650 (N.D. W. Va. Dec. 17, 2024)
- Harper v. Warden, FCI Waseca, Case No. 23-cv-2502 (JRL/TNL), 2024 WL 3164981, at *5-6 (D. Minn. May 28, 2024), report and recommendation adopted, 2024 WL 3163730 (D. Minn. June 25, 2024)