

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION

Daniel James Abbott v. Eric Rardin

No. 2:25-CV-10739-TGB-PTM · No. No. 2:25-CV-10739-TGB-PTM · Decided January 15, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan denied Daniel James Abbott’s 28 U.S.C. § 2241 habeas petition challenging the Bureau of Prisons’ denial of First Step Act earned time credits and placement in a residential reentry center or home confinement. The court held that Abbott was ineligible for First Step Act credits because his aggregate sentence included a disqualifying conviction under 18 U.S.C. § 924(c), and that Second Chance Act placement decisions are discretionary with the Bureau of Prisons. The court also denied Abbott’s pending motions and dismissed the petition with prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Southern Division
WRITING FOR THE COURT	Terrence G. Berg
JURISDICTION	United States District Court for the Eastern District of Michigan, Southern Division
DECIDED	January 15, 2026
DOCKET	No. 2:25-CV-10739-TGB-PTM
DISPOSITION	dismissed
PROCEDURAL POSTURE	Federal prisoner Daniel James Abbott petitioned under 28 U.S.C. § 2241, challenging the Bureau of Prisons' denial of First Step Act earned-time credits and placement in residential reentry or home confinement. The court denied the petition and two related motions and dismissed the habeas petition with prejudice.
STANDARD OF REVIEW	The court reviewed the § 2241 habeas claims to determine whether Abbott established entitlement to relief; it applied the governing federal statutes and treated the BOP's placement decisions as discretionary and generally not judicially reviewable under 18 U.S.C. § 3621(b).
PRECEDENTIAL VALUE	unpublished district court opinion

PARTIES

Daniel James Abbott v. Eric Rardin

TOPICS

federal habeas corpus

post-conviction relief

statutory interpretation

administrative law

judicial review of agency action

PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Abbott was eligible for First Step Act earned-time credits despite serving an aggregate sentence that included a conviction under 18 U.S.C. § 924(c).
2. Whether Abbott was entitled to receive First Step Act credits against only his consecutive 20-month drug sentence.
3. Whether the Second Chance Act entitled Abbott to residential reentry center placement or immediate home confinement.
4. Whether Abbott's motions concerning the statutory characterization of his petition and amendment of the respondent's name should be granted.

HOLDINGS

1. A prisoner serving an aggregate federal sentence that includes a conviction under 18 U.S.C. § 924(c) is categorically ineligible for First Step Act earned-time credits under 18 U.S.C. § 3632(d)(4)(D)(xxii).
2. Abbott could not receive First Step Act credits against the consecutive drug sentence because multiple consecutive terms are treated for administrative purposes as a single aggregate term of imprisonment.
3. The court did not need to defer to the BOP's statutory interpretation, so *Loper Bright Enterprises v. Raimondo* did not affect the result.
4. The Second Chance Act does not entitle a federal prisoner to a minimum period of RRC placement or to immediate home confinement.
5. The court denied Abbott's motion concerning the statutory characterization of his petition because the court had already treated the petition as arising under 28 U.S.C. § 2241.

KEY QUOTATIONS

“Because Petitioner’s aggregate 80-month federal sentence includes a sentence for a firearm conviction under 18 U.S.C. § 924(c)(1), he is ineligible to receive credits under the FSA.” (at 6)

“A federal prisoner, however, is not automatically entitled to, or guaranteed, such placement for any minimum amount of time.” (at 7-8)

“The BOP’s “designation of a place of imprisonment ... is not reviewable by any court.”” (at 8)

FACTUAL BACKGROUND

Abbott pleaded guilty in the Northern District of Iowa to possession with intent to distribute a controlled substance and possession of a firearm in furtherance of a drug-trafficking crime under 18 U.S.C. § 924(c)(1). He received consecutive sentences totaling 80 months: 20 months for the drug offense and 60 months for the firearm offense. The BOP denied him First Step Act earned-time credits and had assigned him an anticipated residential reentry center arrival date, but he sought additional credits, immediate RRC placement, and home confinement.

PROCEDURAL HISTORY

Abbott filed a pro se § 2241 petition while confined at FCI Milan, Michigan. He also filed a motion concerning the statutory basis of his petition and a motion to amend the respondent's name. The court treated the filing as a § 2241 petition, denied habeas relief, denied the motions, dismissed the petition with prejudice, and closed the case.

DISPOSITION

dismissed

CASES CITED

- United States v. Abbott, Case No. 20-32 (N.D. Iowa)
- United States v. Gonzales, 520 U.S. 1, 8 (1997)
- Sok v. Eischen, No. 22-458, 2022 WL 17156797, at *5 (D. Minn. Oct. 26, 2022)
- Keeling v. Lemaster, No. 22-6126, 2023 WL 9061914, at *1 (6th Cir. Nov. 22, 2023)
- Teed v. Warden Allenwood FCI Low, No. 23-1181, 2023 WL 4556726, at *2 (3d Cir. July 17, 2023) (per curiam)
- Loper Bright Enterprises v. Raimondo, 603 U.S. 369, 412-13 (2024)
- Brewer v. Harrison, No. 24-2305, 2025 WL 367398, at *1 (W.D. Tenn. Jan. 29, 2025)
- Demis v. Snizek, 558 F.3d 508, 513-14 (6th Cir. 2009)
- Lovett v. Hogsten, No. 09-5605, 2009 WL 5851205, at *2 (6th Cir. Dec. 29, 2009)
- Frierson v. Rardin, No. 24-12456, 2025 WL 410072, at *5 (E.D. Mich. Feb. 5, 2025)
- Cucu v. Terris, No. 17-13646, 2018 WL 1203495, at *4 (E.D. Mich. Mar. 8, 2018)
- Heard v. Quintana, 184 F. Supp. 3d 515, 520-21 (E.D. Ky. 2016)
- United States v. Townsend, 631 F. App'x 373, 378 (6th Cir. 2015)
- Antoine v. Rardin, No. 24-12462, 2025 WL 968285, at *3 (E.D. Mich. Mar. 31, 2025)
- United States v. Burkhart, No. 3-36, 2019 WL 615354, at *2 (E.D. Ky. Feb. 13, 2019)
- United States v. Curry, No. 06-082, 2019 WL 508067, at *1 (E.D. Ky. Feb. 8, 2019)
- United States v. Suttles, No. 16-20396, 2020 WL 409660, at *1 (E.D. Mich. Jan. 24, 2020)
- Haines v. Kerner, 404 U.S. 519 (1972)

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