

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WISCONSIN

Fernando Ramos-Meza v. Warden E. Emmerich

No. 25-cv-978-jdp (W.D. Wis. Apr. 13, 2026) · No. 25-cv-978-jdp · Decided April 13, 2026

SUMMARY

The United States District Court for the Western District of Wisconsin denied Fernando Ramos-Meza’s petition for habeas corpus under 28 U.S.C. § 2241. The court held that his reinstated final order of removal made him ineligible to apply First Step Act time credits toward early release, notwithstanding his pending asylum-related proceedings.

CASE DETAILS

COURT	United States District Court for the Western District of Wisconsin
WRITING FOR THE COURT	James D. Peterson
JURISDICTION	United States District Court for the Western District of Wisconsin
DECIDED	April 13, 2026
DOCKET	25-cv-978-jdp
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 seeking an order requiring the Bureau of Prisons to apply First Step Act time credits toward earlier release.
STANDARD OF REVIEW	The court reviewed the § 2241 habeas claim under the governing statutory eligibility provisions for First Step Act time credits.
PRECEDENTIAL VALUE	Unpublished district court opinion
PARTIES	Fernando Ramos-Meza v. Warden E. Emmerich

TOPICS

- federal habeas corpus
- removal proceedings
- post-conviction relief
- statutory interpretation

PRACTICE AREAS

- Federal habeas corpus
- Immigration law
- Post-conviction relief
- Statutory interpretation

QUESTIONS PRESENTED

1. Whether a prisoner subject to a reinstated final order of removal is eligible to apply First Step Act time credits toward early release.
2. Whether a pending request for asylum status prevents a final order of removal from disqualifying a prisoner from applying First Step Act time credits.
3. Whether the district court may review the validity of the final order of removal in a § 2241 proceeding.

HOLDINGS

1. A prisoner who is the subject of a final order of removal is ineligible to apply First Step Act time credits toward early release under 18 U.S.C. § 3632(d)(4)(E)(i). Because DHS reinstated Ramos-Meza's 2011 removal order, the Bureau of Prisons could not apply his credits.
2. A pending request for asylum status does not prevent a final order of removal from remaining effective or from disqualifying the prisoner from applying First Step Act time credits.
3. The district court could not review the validity of Ramos-Meza's final order of removal in this habeas proceeding.

KEY QUOTATIONS

“[a] prisoner is ineligible to apply time credits . . . if the prisoner is the subject of a final order of removal under any provision of the immigration laws”

FACTUAL BACKGROUND

Ramos-Meza, a Mexican citizen, had previously been removed from the United States in 2011 and 2012 and was serving a sentence for conspiracy to distribute methamphetamine. He had accrued enough First Step Act time credits to advance his projected supervised-release placement by approximately one year. While the petition was pending, the Department of Homeland Security reinstated the 2011 order of removal, and Ramos-Meza continued litigating an asylum request.

PROCEDURAL HISTORY

Ramos-Meza filed a pro se § 2241 habeas petition while incarcerated at FCI-Oxford. During the proceeding, the Department of Homeland Security reinstated a 2011 order of removal. The district court held that the reinstated removal order made Ramos-Meza ineligible to apply First Step Act time credits toward early release and denied the petition.

DISPOSITION

dismissed

CASES CITED

- Altamirano v. Emmerich, No. 25-cv-575-jdp, 2025 WL 3251106, at *1 (W.D. Wis. Nov. 21, 2025)
- Orji v. Warden, FCI Oxford, No. 24-cv-300-jdp, 2026 WL 194517, at *2 (W.D. Wis. Jan. 26, 2026)

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