

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Scott J. Cook v. Douglas J. Curtis, Commandant, United States
Disciplinary Barracks

Cook v. Curtis · No. 25-3210-JWL · Decided January 23, 2026

SUMMARY

The United States District Court for the District of Kansas denied a military prisoner's 28 U.S.C. § 2241 petition challenging the forfeiture of sentence credit for time spent on Mandatory Supervised Release. Applying the arbitrary-and-capricious standard, the court held that the Naval Clemency and Parole Board had a rational basis for denying street-time credit retroactive to January 1, 2023.

CASE DETAILS

COURT	United States District Court for the District of Kansas
WRITING FOR THE COURT	John W. Lungstrum
JURISDICTION	United States District Court for the District of Kansas
DECIDED	January 23, 2026
DOCKET	25-3210-JWL
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner, a military prisoner proceeding pro se, sought habeas relief under 28 U.S.C. § 2241, challenging the denial of sentence credit for time spent on Mandatory Supervised Release after revocation. The district court denied the petition.
STANDARD OF REVIEW	Arbitrary-and-capricious review. Judicial review of parole-board decisions is narrow; the court asks only whether the decision has a rational basis in the record, not whether it is supported by a preponderance of the evidence or substantial evidence.
PRECEDENTIAL VALUE	Unknown; memorandum and order from a federal district court with no reported citation identified.
PARTIES	Scott J. Cook v. Douglas J. Curtis, Commandant, United States Disciplinary Barracks

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QUESTIONS PRESENTED

1. Whether the Naval Clemency and Parole Board acted arbitrarily and capriciously by denying Cook credit for Mandatory Supervised Release street time dating back to January 1, 2023, despite the earliest documented violation occurring on April 13, 2023.

HOLDINGS

1. The Board's decision to deny Cook credit for street time from January 1, 2023, was not arbitrary and capricious because it had a rational basis in the record.
2. The court could not reweigh the evidence, reassess credibility, or substitute its judgment for the Board's discretionary determination where the record supplied a rational basis.

KEY QUOTATIONS

“Judicial review of Parole Board decisions is narrow. The Commission’s decision will stand unless it is arbitrary and capricious.”

“A reviewing court must make some inquiry into the factual basis for the Commission’s decision. But the inquiry is not whether the Commission’s decision is supported by the preponderance of the evidence, or even by substantial evidence; the inquiry is only whether there is a rational basis in the record for the Commission’s conclusions embodied in its statement of reasons.”

FACTUAL BACKGROUND

Cook's Mandatory Supervised Release was revoked after multiple violations of the release terms, and he was denied credit for street time from January 1, 2023, through March 21, 2024. The earliest documented violation occurred on April 13, 2023, when Cook used a prohibited phone application. The Naval Clemency and Parole Board nevertheless determined that the nature and seriousness of his violations cast doubt on whether he had ever been in material compliance and warranted forfeiture of street time back to January 1, 2023. The record included evidence that Cook, a convicted sex offender, impersonated a minor female child online to attract other minors and lived in an unapproved residence with unsupervised access to children.

PROCEDURAL HISTORY

The Naval Clemency and Parole Board revoked Cook's Mandatory Supervised Release and denied credit for street time from January 1, 2023, through March 21, 2024. Cook filed a § 2241 petition challenging the date from which his noncompliance was determined and seeking restoration of part of the forfeited time. After ordering supplemental briefing, the district court denied the petition.

DISPOSITION

dismissed

CASES CITED

- Peltier v. Booker, 348 F.3d 888, 892-93 (10th Cir. 2003)
- D'Agnese v. United States Navy Clemency & Parole Bd., 2006 WL 1410030, at *1-2 (D. Kan. May 23, 2006)

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