

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
TEXAS, CORPUS CHRISTI DIVISION

Devon Rashaad Wright-Nasalski v. Warden, FCI Three Rivers

Wright-Nasalski · No. Civil Action No. 2:24-CV-00276 · Decided March 20, 2026

SUMMARY

The United States District Court for the Southern District of Texas adopts a magistrate judge’s recommendation granting Devon Rashaad Wright-Nasalski’s 28 U.S.C. § 2241 habeas petition. The court holds that the federal sentences may be sequenced to give effect to the sentencing judge’s order that the 100-month federal sentence run concurrently with the state sentence, while preserving aggregation of the federal sentences. The court orders recalculation of the petitioner’s sentence to credit time served in state custody and denies the respondent’s construed motion for summary judgment.

CASE DETAILS

COURT	United States District Court for the Southern District of Texas, Corpus Christi Division
JURISDICTION	United States District Court for the Southern District of Texas, Corpus Christi Division
DECIDED	March 20, 2026
DOCKET	Civil Action No. 2:24-CV-00276
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241 challenging the Bureau of Prisons' calculation of his federal sentence and requesting credit for time served in state custody. The magistrate judge recommended denying the respondent's construed motion for summary judgment and granting the petition. After de novo review of the respondent's objections, the district court adopted the recommendation, denied summary judgment, and granted habeas relief.
STANDARD OF REVIEW	Under Federal Rule of Civil Procedure 72(b), the district court reviews de novo portions of a magistrate judge's proposed findings and recommendations on dispositive matters to which specific written objections are made. Unobjected-to portions are reviewed for clear error as to factual findings and conclusions of law.

PRECEDENTIAL VALUE	Unknown; no reporter or precedential-status designation appears in the source.
PARTIES	Devon Rashaad Wright-Nasalski v. Warden, FCI Three Rivers

TOPICS

federal habeas corpus sentencing sentence modification statutory interpretation summary judgment

PRACTICE AREAS

Federal habeas corpus Federal sentencing Prisoner sentence computation

QUESTIONS PRESENTED

1. Whether the sentencing orders requiring sentences to run consecutively necessarily specified the order in which the sentences had to be served.
2. Whether the recommended sequencing of the 100-month and 14-month federal sentences violated the federal aggregation statute, 18 U.S.C. § 3584(c).
3. Whether the BOP's sentence calculation gave effect to the order that the 100-month federal sentence run concurrently with the 24-month state sentence.

HOLDINGS

1. The phrase "consecutive to" requires sentences to be served in sequence but does not necessarily establish a specific order among the sentences.
2. Sequencing the federal sentences as 100 months followed by 14 months did not violate the aggregation statute because the federal sentences remained a single continuous 114-month aggregate term.
3. The petition for a writ of habeas corpus was granted, and the petitioner's sentence was required to be recalculated so that time served in state custody received credit consistent with the 100-month federal sentence running concurrently with the state sentence.

KEY QUOTATIONS

"Two or more sentences of jail time to be served in sequence. For example, if a defendant receives consecutive sentences of 20 years and 5 years, the total amount of jail time is 25 years."

"This definition does not imply that "consecutive sentences" specifies an order among two sentences, just that they be served in sequence, rather than concurrently or with time in between."

FACTUAL BACKGROUND

Three sentences were imposed in 2019: a 14-month federal supervised-release revocation sentence, a 100-month federal sentence ordered to run concurrently with a future state sentence but consecutively to the 14-month sentence, and a 24-month state sentence. The petitioner served the state sentence first under the state's primary jurisdiction, after which he was returned to federal custody. The BOP aggregated the two federal sentences as

114 months and treated the aggregate as consecutive to the state sentence, thereby failing to give effect to the federal sentencing judge's directive that the 100-month sentence run concurrently with the state sentence.

PROCEDURAL HISTORY

Wright-Nasalski filed a pro se § 2241 petition challenging the BOP's aggregation and sequencing of his federal sentences in relation to his state sentence. On September 22, 2025, Magistrate Judge Jason B. Libby issued a Memorandum and Recommendation recommending that the construed motion for summary judgment be denied and the petition granted. The respondent objected, the petitioner responded, and the district court overruled the objections, adopted the M&R, denied summary judgment, and ordered recalculation of the sentence.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

The sentence must be recalculated to credit the petitioner's time in state custody so that the 100-month federal sentence runs concurrently with the 24-month state sentence, while the federal sentences remain aggregated as a 114-month term.

CASES CITED

- Battle v. U.S. Parole Commission, 834 F.2d 419, 421 (5th Cir. 1987)
- Edmonds v. Collins, 8 F.3d 290, 293 n.7 (5th Cir. 1993)
- United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam)