

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Ludwig v. Hill

No. 3:25-cv-01144-RBM-DDL (S.D. Cal. May 14, 2025) · No. 3:25-cv-01144-RBM-DDL · Decided May 14, 2025

SUMMARY

The United States District Court for the Southern District of California dismissed without prejudice a state prisoner’s habeas petition brought under 28 U.S.C. § 2241. The court held that compassionate-release authority under 18 U.S.C. § 3582(c)(1)(A) applies to federal prisoners, and that a state prisoner challenging a state sentence must proceed under 28 U.S.C. § 2254.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Ruth Bermudez Montenegro
JURISDICTION	United States District Court for the Southern District of California
DECIDED	May 14, 2025
DOCKET	3:25-cv-01144-RBM-DDL
DISPOSITION	dismissed
PROCEDURAL POSTURE	A state prisoner filed a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241 seeking modification of his state sentence to permit compassionate release.
STANDARD OF REVIEW	The court reviewed the habeas petition to determine whether the asserted statutory vehicle provided a proper basis for federal jurisdiction.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status not specified in the source.
PARTIES	Kenneth James Ludwig v. James Hill, Warden

TOPICS

- federal habeas corpus
- post-conviction relief
- sentence modification
- criminal procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether a state prisoner may seek compassionate release from a state sentence under the federal compassionate-release statute, 18 U.S.C. § 3582(c)(1)(A)(i).
2. Whether a state prisoner attacking the validity of a state-court sentence may proceed under 28 U.S.C. § 2241 rather than 28 U.S.C. § 2254.

HOLDINGS

1. The federal compassionate-release provision in 18 U.S.C. § 3582(c)(1)(A)(i) authorizes federal courts to reduce the sentences of federal prisoners, not to order compassionate release from a state sentence.
2. A state prisoner attacking the validity of a state sentence may not proceed under 28 U.S.C. § 2241 and must bring the federal habeas action under 28 U.S.C. § 2254.

KEY QUOTATIONS

“Further, because Petitioner is a state prisoner attacking the validity of a state sentence, he may not proceed under 28 U.S.C. § 2241; he may only proceed with a habeas action in federal court under 28 U.S.C. § 2254.”
(at 1)

FACTUAL BACKGROUND

Kenneth James Ludwig is a California state prisoner incarcerated at Richard J. Donovan Correctional Facility. He sought modification of his state criminal sentence to obtain compassionate release from state custody. He filed the federal petition under 28 U.S.C. § 2241, although he was serving a state sentence.

PROCEDURAL HISTORY

On May 5, 2025, Ludwig filed a § 2241 habeas petition and paid the filing fee. The district court dismissed the petition without prejudice because the compassionate-release statute applies to federal prisoners and because a state prisoner challenging a state-court judgment must proceed under 28 U.S.C. § 2254. The court noted that Ludwig filed a § 2254 petition in a separate case on the same day.

DISPOSITION

dismissed

CASES CITED

- United States v. Zukerman, 451 F.Supp.3d 329 (S.D.N.Y. 2020)
- White v. Lambert, 370 F.3d 1002, 1006-07 (9th Cir. 2004)