

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

David Angel Sifuentes, III v. John Prelesnik

Sifuentes v. Prelesnik · No. 1:25-cv-1214 · Decided December 29, 2025

SUMMARY

The United States District Court for the Western District of Michigan dismissed David Angel Sifuentes III’s habeas corpus petition under 28 U.S.C. § 2254 for lack of jurisdiction because he was no longer in custody when the petition was filed. The court denied a certificate of appealability and denied the motion to appoint counsel, concluding that reasonable jurists could not debate the jurisdictional ruling.

CASE DETAILS

COURT	United States District Court for the Western District of Michigan, Southern Division
WRITING FOR THE COURT	Paul L. Maloney
JURISDICTION	United States District Court for the Western District of Michigan, Southern Division
DECIDED	December 29, 2025
DOCKET	1:25-cv-1214
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner brought a habeas corpus action under 28 U.S.C. § 2254. On preliminary review under Rule 4 governing § 2254 cases, the district court dismissed the petition for lack of jurisdiction because Petitioner was no longer in custody pursuant to the challenged state-court sentence. The court also denied a certificate of appealability and Petitioner’s motion to appoint counsel.
STANDARD OF REVIEW	Under Rule 4 governing § 2254 cases, the court must promptly review the petition and summarily dismiss it if the petition and its exhibits plainly show that the petitioner is not entitled to relief. A certificate of appealability requires a substantial showing of the denial of a constitutional right; when dismissal rests on a procedural ground, the petitioner must show both that reasonable jurists could debate the constitutional claim and that reasonable jurists could debate the procedural ruling.

PRECEDENTIAL VALUE	Unpublished federal district court opinion; precedential status not stated
PARTIES	David Angel Sifuentes, III v. John Prelesnik

TOPICS

federal habeas corpus post-conviction relief subject matter jurisdiction pleadings civil procedure

PRACTICE AREAS

federal habeas corpus post-conviction relief federal civil procedure

QUESTIONS PRESENTED

1. Whether the district court had jurisdiction under 28 U.S.C. § 2254(a) when Petitioner was no longer in custody pursuant to the challenged state-court judgment.
2. Whether Petitioner was entitled to a certificate of appealability after dismissal on the jurisdictional custody ground.
3. Whether Petitioner was entitled to appointment of counsel.

HOLDINGS

1. A federal district court lacks jurisdiction over a § 2254 petition when the petitioner is not in custody under the conviction or sentence being challenged at the time the petition is filed, and the custody requirement is not satisfied after the challenged sentence has fully expired absent circumstances involving continuing severe restraints on liberty.
2. A certificate of appealability must be denied because reasonable jurists could not debate the court's conclusion that it lacked jurisdiction where Petitioner was not in custody.

KEY QUOTATIONS

“The present petition is properly dismissed for lack of jurisdiction.”

“This Court, likewise, has no jurisdiction to consider a habeas petition from a person who is no longer in custody.”

“The Court finds that reasonable jurists could not debate that the Court lacks jurisdiction because Petitioner is not in custody; therefore, the Court denies Petitioner a certificate of appealability.”

FACTUAL BACKGROUND

Sifuentes challenged a 2001 state-court sentence of five to fifteen years. He was released on parole on May 26, 2009, and was subsequently discharged from parole. When he filed his amended § 2254 petition in 2020, the sentence had expired and he did not allege that he remained on parole or was subject to other severe restraints on his liberty.

PROCEDURAL HISTORY

Sifuentes previously challenged a state conviction and sentence in federal habeas proceedings. The court noted that his five-to-fifteen-year sentence had expired, that he had been released from parole and discharged from parole, and that the Sixth Circuit had previously held that he was not in custody when he filed his amended § 2254 petition in 2020. In this action, the district court conducted preliminary review and dismissed the petition without prejudice for lack of jurisdiction.

DISPOSITION

dismissed

CASES CITED

- Allen v. Perini, 424 F.2d 134, 141 (6th Cir. 1970)
- Maleng v. Cook, 490 U.S. 488, 490, 493–94 (1989)
- Carafas v. Lavallee, 391 U.S. 234, 238 (1968)
- Lackawanna County Dist. Attorney v. Coss, 532 U.S. 394, 401 (2001)
- Steverson v. Simmers, 258 F.3d 520, 522–25 (6th Cir. 2001)
- In re Lee, 880 F.3d 242, 243 (6th Cir. 2018)
- Hautzenroeder v. Dewine, 887 F.3d 737, 740 (6th Cir. 2018)
- Sifuentes v. Prelesnik, No. 1:03-cv-637, slip op. at 1 (W.D. Mich. Feb. 17, 2021)
- In re David Angel Sifuentes, No. 20-2212, Order at pp. 2–3 (6th Cir. June 7, 2021)
- Ernst v. Rising, 427 F.3d 351, 367 (6th Cir. 2005)
- Murphy v. Ohio, 263 F.3d 466, 467 (6th Cir. 2001) (per curiam)
- Slack v. McDaniel, 529 U.S. 473, 484 (2000)
- Miller-El v. Cockrell, 537 U.S. 322, 327 (2003)
- Coppedge v. United States, 369 U.S. 438, 445 (1962)

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