

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

Shayne Eugene Todd v. Brian Redd

Todd v. Redd · No. 2:24-cv-00896-RJS · Decided February 24, 2026

SUMMARY

The United States District Court for the District of Utah dismissed Shayne Eugene Todd’s habeas petition challenging his transfer from the Utah State Prison to the Utah State Correctional Facility. The court held that Todd’s challenges to his original conviction and sentence were second or successive claims under 28 U.S.C. § 2254 and that his § 2241 claim failed to establish a protected liberty interest in confinement at a particular institution. The court dismissed the action with prejudice, denied related motions as moot, denied a certificate of appealability, and closed the case.

CASE DETAILS

COURT	United States District Court for the District of Utah
WRITING FOR THE COURT	Robert J. Shelby
JURISDICTION	United States District Court for the District of Utah
DECIDED	February 24, 2026
DOCKET	2:24-cv-00896-RJS
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241, challenging his transfer from the Utah State Prison to the Utah State Correctional Facility and asserting related challenges to his original conviction and sentence. Respondent moved to dismiss under Federal Rule of Civil Procedure 12(b)(6). The district court dismissed the petition with prejudice for lack of jurisdiction as to successive § 2254 claims and for failure to state a cognizable § 2241 claim.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded facts as true and views them in the light most favorable to the nonmoving party, but requires factual allegations sufficient to state a plausible claim for relief. Pro se pleadings are liberally construed, although courts need not accept vague and conclusory allegations or permit amendment when amendment would be futile.
PRECEDENTIAL VALUE	unpublished district court memorandum decision and order
PARTIES	Shayne Eugene Todd v. Brian Redd

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Todd's challenges to the validity of his original conviction and sentence were second or successive § 2254 claims that the district court lacked jurisdiction to consider without authorization from the Tenth Circuit.
2. Whether transfer of a duly convicted prisoner from one state correctional facility to another, without notice, a hearing, or a judicial sentencing modification, states a cognizable due process claim under § 2241.
3. Whether Todd was entitled to amend the petition or have it transferred to the Tenth Circuit under 28 U.S.C. § 1631 for authorization to file a successive habeas petition.
4. Whether Todd was entitled to a certificate of appealability.

HOLDINGS

1. Challenges to the validity of Todd's original conviction or sentence constituted § 2254 claims and were second or successive. Because Todd had not obtained authorization from the court of appeals, the district court lacked jurisdiction to consider them.
2. A duly convicted prisoner has no protected liberty interest in confinement at a particular state correctional institution, and transfer from one facility to another does not require notice, a hearing, or judicial modification of the sentence. Todd's § 2241 due process claim therefore failed to state a cognizable claim.
3. *Hill v. United States ex rel. Wampler* did not support Todd's claim because it concerned an unauthorized addition to a sentence that extended confinement beyond the sentencing judge's order, not a transfer between facilities during a valid sentence.
4. The district court declined to transfer the petition to the Tenth Circuit for successive-petition authorization because transfer was not in the interest of justice.
5. Dismissal without leave to amend was appropriate because the petition failed to state a plausible claim, Respondent's motion placed Todd on notice of the deficiencies, and Todd declined to allege facts curing them despite multiple filings.

KEY QUOTATIONS

“The Due Process Clause does not protect a duly convicted prisoner against transfer from one institution to another within the state prison system.” (Analysis)

“Petitioner fails to establish that he has a liberty interest in the particular institution in which he is housed.”
(Analysis)

“IT IS THEREFORE ORDERED that the Motion to Dismiss is GRANTED. The Petition is DENIED and the action is DISMISSED WITH PREJUDICE.” (Conclusion)

FACTUAL BACKGROUND

Todd was convicted in Utah state court of murder and unlawful possession of a dangerous weapon and received an indeterminate sentence of five years to life for murder, consecutive to a one-to-fifteen-year sentence for weapon possession and a sentence for a prior conviction. The sentencing court stated that the sentence would be served at the Utah State Prison. In 2023, the Utah Department of Corrections closed the Draper prison facility and transferred Todd to the Utah State Correctional Facility in Salt Lake City. Todd claimed the transfer altered his sentence and violated due process because it occurred without notice, a hearing, or judicial modification.

PROCEDURAL HISTORY

Todd was convicted and sentenced in Utah state court in 2001. His first federal habeas petition was dismissed as untimely, and his second petition was dismissed as second or successive. After the Utah Department of Corrections transferred him to a newly constructed facility in 2023, Todd filed this petition, which included both an execution-of-sentence challenge under § 2241 and renewed challenges to the validity of his sentence. The district court granted the motion to dismiss, denied the petition with prejudice, denied related motions as moot, denied a certificate of appealability, and closed the case.

DISPOSITION

dismissed

CASES CITED

- State v. Todd, Case No. 991906743-FS (Utah 3d Dist. Mar. 14, 2001)
- State v. Todd, Case No. 891900845 (Utah 3d Dist. Aug. 7, 1989)
- Todd v. Bigelow, No. 2:12-cv-00282-CW, 2013 WL 1704031 (D. Utah Apr. 19, 2013), aff'd, 534 F. App'x 748 (10th Cir. 2013)
- Todd v. Bigelow, No. 2:12-CV-282 CW, 2013 U.S. Dist. LEXIS 56795, at *2 (D. Utah Apr. 19, 2013), aff'd, 534 F. App'x 748 (10th Cir. 2013)
- Todd v. Nielson, No. 2:19-cv-00700-DBB, 2022 WL 4182256 (D. Utah Sept. 13, 2022)
- Todd v. Nielson, No. 2:19-CV-700-DBB, 2022 U.S. Dist. LEXIS 166462, at 13 (D. Utah Sept. 13, 2022)
- McIntosh v. U.S. Parole Commission, 115 F.3d 809, 811 (10th Cir. 1997)
- Montez v. McKinna, 208 F.3d 862, 865 (10th Cir. 2000)
- Rhodes v. Hannigan, 12 F.3d 989, 991 (10th Cir. 1993)
- In re Cline, 531 F.3d 1249, 1252 (10th Cir. 2008)
- Straley v. Utah Board of Pardons, 582 F.3d 1208, 1215 (10th Cir. 2009)

- Rivers v. Guerrero, 605 U.S. 443, 450 (2025)
- Haines v. Kerner, 404 U.S. 519, 520-21 (1972)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Hall v. Bellmon, 935 F.2d 1106, 1110 (10th Cir. 1991)
- Northington v. Jackson, 973 F.2d 1518, 1521 (10th Cir. 1992)
- Beedle v. Wilson, 422 F.3d 1059, 1063 (10th Cir. 2005)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 558, 570 (2007)
- Fleming v. Coulter, 573 F. App'x 765, 769 (10th Cir. 2014)
- Perkins v. Kansas Department of Corrections, 165 F.3d 803, 806 (10th Cir. 1999)
- Calderon v. Kansas Department of Social & Rehabilitation Services, 181 F.3d 1180, 1186 (10th Cir. 1999)
- Meachum v. Fano, 427 U.S. 215, 224-25 (1976)
- Montanye v. Haymes, 427 U.S. 236, 242 (1976)
- Hill v. United States ex rel. Wampler, 298 U.S. 460, 461-62, 467 (1936)
- Slack v. McDaniel, 529 U.S. 473, 478 (2000)

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