

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MONTANA,
GREAT FALLS DIVISION

Neil Samoy v. Sheriff Slaughter

Samoy · No. CV 26-04-GF-BMM · Decided February 23, 2026

SUMMARY

The United States District Court for the District of Montana dismissed Neil Samoy’s amended 28 U.S.C. § 2241 habeas petition without prejudice because he had not exhausted available state remedies and had not shown special circumstances warranting federal intervention in ongoing state criminal proceedings. The court granted Samoy’s motion to proceed in forma pauperis, directed entry of judgment, and denied a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the District of Montana, Great Falls Division
WRITING FOR THE COURT	Brian Morris
JURISDICTION	United States District Court for the District of Montana, Great Falls Division
DECIDED	February 23, 2026
DOCKET	CV 26-04-GF-BMM
DISPOSITION	dismissed
PROCEDURAL POSTURE	A pretrial detainee filed an amended petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging ongoing Montana criminal proceedings and seeking dismissal of the state charges, release from custody, and damages. The district court screened the petition and dismissed it without prejudice for failure to exhaust state remedies and failure to demonstrate special circumstances warranting federal intervention.
STANDARD OF REVIEW	Under 28 U.S.C. § 1915A and Rule 4 governing § 2254 cases, the court screened the petition and dismissed it if the claims were legally frivolous, failed to state a basis for relief, or plainly showed that the petitioner was not entitled to relief. The court also applied the exhaustion and special-circumstances requirements governing federal pretrial habeas review.

PRECEDENTIAL VALUE	unpublished
PARTIES	Neil Samoy v. Sheriff Slaughter

TOPICS

federal habeas corpus federalism comity criminal procedure due process

PRACTICE AREAS

federal habeas corpus criminal procedure state post-conviction relief constitutional law

QUESTIONS PRESENTED

1. Whether the federal district court could entertain Samoy's § 2241 pretrial habeas petition when he had not exhausted available state judicial remedies.
2. Whether Samoy demonstrated special circumstances sufficient to overcome Younger abstention and federalism and comity concerns arising from ongoing state criminal proceedings.
3. Whether the petition warranted a certificate of appealability.

HOLDINGS

1. A federal court should not entertain a pretrial habeas challenge to ongoing state criminal proceedings unless the petitioner has exhausted available state judicial remedies and establishes special circumstances warranting federal intervention. Because Samoy had not exhausted his claims, the petition was dismissed without prejudice.
2. Samoy's disagreement with the course of his state proceedings and his conclusory allegations did not establish the unusual or extraordinary circumstances necessary for federal intervention.
3. A certificate of appealability was denied because the unexhausted claims and abstention ruling did not present a substantial showing of the denial of a constitutional right.

KEY QUOTATIONS

"The principles of federalism and comity require, however, that this court abstain and not entertain a pretrial habeas challenge unless the petitioner shows the following: (1) exhaustion of available state judicial remedies, and (2) "special circumstances" warrant federal intervention." (Analysis)

"Samoy's disagreement with the course of his state proceedings and conclusory allegations in support thereof, are not the type of unusual circumstances that might justify an exception to Younger abstention." (Analysis)

"Samoy's Amended Petition (Doc. 5) is DISMISSED without prejudice." (Order)

FACTUAL BACKGROUND

Neil Samoy was arrested on September 26, 2025, and was incarcerated at the Cascade County Detention Center as a pretrial detainee. He appeared to face Montana charges including criminal trespass to property, theft,

criminal possession of dangerous drugs, obstructing a peace officer, and resisting arrest. He alleged ineffective assistance of counsel, excessive bail, unconstitutional delay between his initial appearance and arraignment, and malicious prosecution, but had not presented those claims or challenged his detention in the Montana state district court or Montana Supreme Court.

PROCEDURAL HISTORY

Samoy was arrested and remained in pretrial detention while state criminal proceedings were pending. He filed an amended federal § 2241 petition alleging ineffective assistance of counsel, excessive bail, delay between his initial appearance and arraignment, and malicious prosecution. The district court granted leave to proceed in forma pauperis, dismissed the petition without prejudice, denied a certificate of appealability, and directed entry of judgment.

DISPOSITION

dismissed

CASES CITED

- Frantz v. Hazey, 533 F.3d 724 (9th Cir. 2008) (en banc)
- White v. Lambert, 370 F.3d 1002 (9th Cir. 2004)
- Castro-Cortez v. INS, 239 F.3d 1037 (9th Cir. 2001)
- Fernandez-Bargas v. Gonzales, 548 U.S. 30 (2006)
- Liang v. Ashcroft, 370 F.3d 994 (9th Cir. 2004)
- Carden v. Montana, 626 F.2d 82 (9th Cir. 1980)
- Younger v. Harris, 401 U.S. 37 (1971)
- Samuels v. Mackell, 401 U.S. 66 (1971)
- Perez v. Ledesma, 401 U.S. 82 (1971)
- Miller-El v. Cockrell, 537 U.S. 322 (2003)
- Slack v. McDaniel, 529 U.S. 473 (2000)