

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA, ROANOKE DIVISION

Marvin Adams v. Warden John Gilley

Civil Case No. 7:25-cv-00153 (W.D. Va. Mar. 30, 2026) · No. 7:25-cv-00153 · Decided March 30, 2026

SUMMARY

The United States District Court for the Western District of Virginia denied Marvin Adams’s motions for default judgment, injunctive relief, expedited relief, and other ancillary relief in his pro se 28 U.S.C. § 2241 petition. The court granted the respondent’s motion for summary judgment, concluding that Adams had no constitutional entitlement to home confinement or halfway-house placement, that the Bureau of Prisons’ placement decision was not judicially reviewable, and that the Bureau had conducted the required statutory review. The court dismissed the matter in its entirety.

CASE DETAILS

COURT	United States District Court for the Western District of Virginia, Roanoke Division
WRITING FOR THE COURT	Elizabeth K. Dillon
JURISDICTION	United States District Court for the Western District of Virginia, Roanoke Division
DECIDED	March 30, 2026
DOCKET	7:25-cv-00153
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241 concerning Federal Time Credits and placement in pre-release custody. Respondent moved to dismiss or, alternatively, for summary judgment; petitioner filed a cross-motion for summary judgment and numerous other motions.
STANDARD OF REVIEW	Summary judgment is proper when there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. On cross-motions, each motion is examined separately under Rule 56. For preliminary injunctive relief, the movant must show a likelihood of success on the merits, likely irreparable harm, favorable balancing of equities, and that an injunction is in the public interest.

PRECEDENTIAL VALUE	unpublished district court memorandum opinion; persuasive value only
PARTIES	Marvin Adams v. Warden John Gilley

TOPICS

federal habeas corpus summary judgment default judgment injunctions post-conviction relief

PRACTICE AREAS

federal habeas corpus post-conviction relief federal civil procedure prisoner rights

QUESTIONS PRESENTED

1. Whether Adams was entitled to default judgment or to have his habeas petition granted as unopposed because the government did not initially respond within thirty days.
2. Whether the Bureau of Prisons's calculation of Adams's Federal Time Credits and projected release or placement dates entitled him to habeas relief.
3. Whether Adams had a constitutional or statutory right to placement in home confinement or a halfway house and whether the Bureau of Prisons's placement decision was subject to judicial review.
4. Whether the Bureau of Prisons conducted the required five-factor placement review under the Second Chance Act.
5. Whether Adams could obtain summary judgment, discovery-related relief, subpoenas, or preliminary injunctive relief.

HOLDINGS

1. Default judgment was properly denied because Adams had not first obtained an entry of default under Federal Rule of Civil Procedure 55(a), and the government's response delay did not independently justify default judgment.
2. Adams was not entitled to habeas relief based on his assertion that the Bureau of Prisons miscalculated his Federal Time Credits because he provided no evidence or reasoning demonstrating that the Bureau's calculations were erroneous or that he was entitled to earlier release.
3. A federal inmate has no constitutional right or protected liberty interest in placement in home confinement, a halfway house, or other particular pre-release custody, and the Bureau of Prisons's placement decision is not subject to judicial review under the First Step Act's designation provision.
4. The Bureau of Prisons satisfied its obligation to conduct the Second Chance Act's five-factor review, and the court lacked authority to review the substantive merits or thoroughness of that discretionary placement analysis.
5. Adams was not entitled to preliminary injunctive or expedited relief because he could not show a likelihood of success on the merits.

KEY QUOTATIONS

“While the First Step Act provides criteria for the BOP to consider when designating an inmate to a place of imprisonment, it also states unequivocally that the BOP’s designation is not subject to judicial review.” (2021 WL 2843835, at *6)

“A preliminary injunction is an “extraordinary remedy that may only be awarded upon a clear showing that the plaintiff is entitled to such relief.””

FACTUAL BACKGROUND

Adams is a federal inmate serving his sentence at USP Lee. The Bureau of Prisons calculated that he had earned Federal Time Credits resulting in projected dates for conditional release and pre-release placement, and his Unit Team conducted the required five-factor review under the Second Chance Act. The Unit Team referred him for residential reentry placement and later identified a home-confinement placement date, but the proposed home addresses were rejected by the United States Probation Office, delaying placement.

PROCEDURAL HISTORY

Adams filed a § 2241 petition and amended petition seeking application of Federal Time Credits and placement in a residential reentry center or home confinement under the First Step Act and Second Chance Act. After granting the government an extension to respond, the court considered respondent's motion for summary judgment, Adams's cross-motion, and Adams's motions for default judgment, judicial notice, discovery-related relief, subpoenas, and injunctive or expedited relief. The court granted judicial notice, denied the remaining petitioner motions, granted respondent's motion for summary judgment, and dismissed the action.

DISPOSITION

dismissed

CASES CITED

- Kwaigaye v. City of Charlotte, No. 3:25-CV-00712-KDB-SCR, 2025 WL 3217040, at *1 (W.D.N.C. Nov. 18, 2025)
- Santander Bank, NA v. Gaver, No. RDB-17-00374, 2019 WL 1077386, at *5 (D. Md. Mar. 7, 2019)
- Payne ex rel. Estate of Calzada v. Brake, 439 F.3d 198, 204-05 (4th Cir. 2006)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 247-48 (1986)
- Matsushita Electric Industrial Co. v. Zenith Radio Corp., 475 U.S. 574, 586-87 (1986)
- Celotex Corp. v. Catrett, 477 U.S. 317, 323-25 (1986)
- Desmond v. PNGI Charles Town Gaming, LLC, 630 F.3d 351, 354 (4th Cir. 2011)
- John C. Grimberg Co. v. Nudura Corp., 775 F. Supp. 3d 946, 954 (D. Md. 2025)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Bouchat v. Baltimore Ravens Football Club, Inc., 346 F.3d 514, 526 (4th Cir. 2003)
- Booker v. Bayless, Civil Action No. 5:24-CV-43, 2024 WL 4169176, at *6 (N.D.W. Va. June 27, 2024)

- *Crum v. Young*, No. 5:20-cv-00658, 2021 WL 2843835, at *5-*6 (S.D.W. Va. Jan. 27, 2021)
- *United States v. Smith*, Case No. 6:15-cr-00006-001, 2019 WL 4016211, at *2 (W.D. Va. Aug. 26, 2019)
- *Garrison v. Stansberry*, 2009 WL 1160115, at *5 (E.D. Va. Apr. 29, 2009)
- *Woodrow v. Ray*, 2024 WL 4171370, at *3 (N.D.W. Va. July 25, 2024)
- *Weber v. Specialized Loan Servicing, LLC*, 341 F.R.D. 214, 216 (E.D.N.C. 2022)
- *Winter v. Natural Resources Defense Council, Inc.*, 555 U.S. 7, 20, 22 (2008)

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