

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

Dalluge v. United States

Dalluge · No. 25-cv-4215 (LMP/EMB) · Decided February 11, 2026

SUMMARY

The United States District Court for the District of Minnesota adopted a magistrate judge’s Report and Recommendation recommending dismissal of Michael D. Dalluge’s 28 U.S.C. § 2241 habeas petition. The court held that Dalluge’s claims concerning prescribed addiction-treatment medication and medical care challenged the conditions of confinement rather than the validity or duration of his detention, and therefore were not cognizable in habeas. The court overruled Dalluge’s objections, denied the petition, and dismissed the action without prejudice.

CASE DETAILS

COURT	United States District Court for the District of Minnesota
WRITING FOR THE COURT	Laura M. Provinzino
JURISDICTION	United States District Court for the District of Minnesota
DECIDED	February 11, 2026
DOCKET	25-cv-4215 (LMP/EMB)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241 based on alleged inadequate medical treatment in federal custody. After a magistrate judge recommended dismissal, petitioner objected. The district court reviewed the unobjected-to recommendation for clear error, adopted it, denied the petition, and dismissed the action without prejudice.
STANDARD OF REVIEW	De novo review applies to portions of a magistrate judge's report and recommendation to which a specific objection is made; clear-error review applies to portions not specifically objected to.
PRECEDENTIAL VALUE	Unpublished district-court order; limited precedential value
PARTIES	Michael D. Dalluge v. United States of America

TOPICS

- federal habeas corpus
- prisoners rights
- cruel and unusual punishment
- civil procedure
- health law

PRACTICE AREAS

Habeas corpus

Prisoner civil rights

Federal civil procedure

Correctional healthcare

QUESTIONS PRESENTED

1. Whether Dalluge's challenge to medical treatment and prison medical decisions was cognizable in a habeas petition under 28 U.S.C. § 2241.
2. What standard of review applied to the magistrate judge's Report and Recommendation when Dalluge's objections did not address the recommendation's procedural basis.
3. Whether the Report and Recommendation should be adopted and the § 2241 petition dismissed without prejudice.

HOLDINGS

1. A challenge to conditions of confinement, including an alleged constitutional violation arising from prison medical treatment, is not properly brought through a habeas petition when it does not challenge the validity of the conviction or the length of detention.
2. When a party does not specifically object to the legal basis of a magistrate judge's recommendation, the district court reviews that aspect of the recommendation for clear error rather than de novo.
3. The Report and Recommendation was properly adopted, the objections were overruled, and the § 2241 petition was denied and dismissed without prejudice.

KEY QUOTATIONS

“A district court reviews de novo those portions of an R&R to which an objection is made and “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.”” (at 2)

“Discerning no clear error, the Court adopts the R&R in full.” (at 2)

FACTUAL BACKGROUND

Dalluge was incarcerated at Federal Medical Center in Rochester, Minnesota, where medical staff prescribed Vivitrol for opioid addiction. He alleged that staff should prescribe Suboxone instead and requested an order requiring Suboxone treatment and changing his primary-care physician. His petition characterized the alleged denial of preferred medical treatment as an Eighth Amendment violation.

PROCEDURAL HISTORY

Dalluge filed a § 2241 petition alleging that Federal Medical Center staff violated his Eighth Amendment rights by prescribing Vivitrol instead of Suboxone and by refusing to change his primary-care physician. Magistrate Judge Elsa M. Bullard recommended dismissal because the petition challenged conditions of confinement rather than the validity or duration of custody. Dalluge objected only to the merits of his medical-treatment claim and did not challenge the recommendation's procedural basis. The district court found no clear error, adopted the Report and Recommendation in full, overruled the objections, denied the petition, and dismissed the action without prejudice.

DISPOSITION

dismissed

CASES CITED

- *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam)
- *Rogers v. U.S. Department of Agriculture*, No. 17-cv-2530 (WMW/FLN), 2018 WL 1226109, at *2 (D. Minn. Mar. 9, 2018)

OPINION

UNITED STATES DISTRICT COURT DISTRICT OF MINNESOTA MICHAEL D. DALLUGE, Case No. 25-cv-4215 (LMP/EMB) Petitioner, v. ORDER ADOPTING REPORT AND RECOMMENDATION UNITED STATES OF AMERICA, Respondent. Petitioner Michael D. Dalluge filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241, alleging that his Eighth Amendment “rights to medical care” have been violated by staff at Federal Medical Center in Rochester, Minnesota.

ECF No. 1 at 1. Specifically, Dalluge alleges that medical staff at FMC Rochester have prescribed him Vivitrol to treat his opioid addiction and have refused to prescribe Suboxone despite the benefits Dalluge asserts. *Id.* at 1–2. Dalluge requests that the Court order his medical team to administer Suboxone and to order his primary-care physician to be changed.

Id. at 2. On December 10, 2025, United States Magistrate Judge Elsa M. Bullard issued a Report and Recommendation (“R&R”), recommending dismissal of Dalluge’s habeas petition. ECF No. 6. The R&R concluded that Dalluge was challenging the conditions of his confinement—not the validity of his conviction or the length of his detention—so habeas relief was not the proper remedy.

Id. at 3. Rather, Dalluge would have to bring his constitutional claims in a non-habeas civil action. *Id.* Dalluge timely filed objections to the R&R. ECF No. 7. In those objections, Dalluge does not address the R&R’s conclusion that his claims may not be brought procedurally in a habeas petition. See *id.* Rather, Dalluge only continues to argue the merits of his Eighth Amendment claim: that he should be prescribed Suboxone, rather than Vivitrol.

See *id.* at 1–2. A district court reviews de novo those portions of an R&R to which an objection is made and “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C).

However, a district court reviews for clear error any aspect of an R&R to which no specific objection is made. *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Here,

Dalluge's objections to the R&R do not address the basis for the R&R's recommendation of dismissal—namely, that Dalluge's claims are not cognizable in a habeas petition.

Accordingly, the Court reviews the R&R for clear error. See *id.*; *Rogers v. U.S. Dep't of Agric.*, No. 17-cv-2530 (WMW/FLN), 2018 WL 1226109, at *2 (D. Minn. Mar. 9, 2018) (reviewing R&R for clear error when objections to the R&R “d[id] not address the R&R's legal analysis”). Discerning no clear error, the Court adopts the R&R in full. ORDER Based upon all the files, records, and proceedings in this matter, IT IS HEREBY ORDERED THAT: 1.

The Report and Recommendation (ECF No. 6) is ADOPTED IN FULL; 2. Dalluge's Objections (ECF No. 7) are OVERRULED; 3. The Petition (ECF No. 1) is DENIED; and 4. This action is DISMISSED WITHOUT PREJUDICE. LET JUDGMENT BE ENTERED ACCORDINGLY. Dated: February 11, 2026 s/Laura M. Provinzino Laura M. Provinzino United States District Judge