

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.

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