

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA

Abdul Mu’Min v. Chadwick Dotson

Mu’Min v. Dotson · No. 7:25CV00037 · Decided March 26, 2026

SUMMARY

The United States District Court for the Western District of Virginia dismissed Abdul Mu’Min’s 28 U.S.C. § 2254 petition challenging parole eligibility and sentence-credit calculations. The court held that the claims were not properly exhausted because the Virginia Supreme Court had not reviewed their merits and that the claims would also be procedurally defaulted and untimely under Virginia and federal law. The dismissal was without prejudice.

CASE DETAILS

COURT	United States District Court for the Western District of Virginia
WRITING FOR THE COURT	James P. Jones
JURISDICTION	United States District Court for the Western District of Virginia
DECIDED	March 26, 2026
DOCKET	7:25CV00037
DISPOSITION	dismissed
PROCEDURAL POSTURE	Respondent moved to dismiss a state prisoner’s petition for a writ of habeas corpus under 28 U.S.C. § 2254. After full briefing, the court granted the motion and dismissed the petition without prejudice.
STANDARD OF REVIEW	A motion to dismiss a habeas petition is reviewed under the familiar Rule 12(b)(6) standard. The court may consider the face of the petition, attached exhibits, material from the underlying record without converting the motion to one for summary judgment, and matters of public record.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Abdul Mu’Min v. Chadwick Dotson

TOPICS

- federal habeas corpus
- post-conviction relief
- motions to dismiss
- statute of limitations
- default

PRACTICE AREAS

federal habeas corpus

post-conviction relief

civil procedure

constitutional law

QUESTIONS PRESENTED

1. Whether the federal court could consider Mu'Min's § 2254 claims when the claims had been presented to the Supreme Court of Virginia only through review of a lower court's jurisdictional dismissal rather than through a procedural vehicle allowing consideration of the merits.
2. Whether the claims were simultaneously exhausted and procedurally defaulted because any attempt to present them in the proper Virginia court would be barred by Virginia's one-year habeas limitations period.
3. Whether Mu'Min demonstrated cause and prejudice or another basis excusing the procedural default.
4. Whether the petition was also untimely under the federal habeas statute of limitations in 28 U.S.C. § 2244(d)(1).

HOLDINGS

1. Mu'Min failed to properly exhaust his state remedies because the Supreme Court of Virginia reviewed his claims only in a procedural context involving the lower court's lack of jurisdiction and did not receive a fair opportunity to consider the merits.
2. Mu'Min's unexhausted claims were also procedurally defaulted because Virginia courts would now bar presentation of the claims under Virginia's one-year habeas limitations period.
3. Mu'Min failed to establish cause and prejudice or any other basis for excusing his procedural default.
4. The petition was also untimely under 28 U.S.C. § 2244(d)(1), and Mu'Min identified no extraordinary circumstances warranting relief from the delay.

KEY QUOTATIONS

"Therefore, no state court has been given a fair opportunity to review Mu'Min's habeas claims, and they have not been properly exhausted in order for this court to undertake review."

"Thus, as Mu'Min's exhaustion and simultaneous procedural default prevents federal habeas review, the Petition must be dismissed."

FACTUAL BACKGROUND

Mu'Min, a Virginia inmate, challenged continued confinement based on alleged denial of parole eligibility and enhanced sentence credits under Virginia statutes amended in 2020 and 2021. He alleged that the violations began in 2020 and continued through later parole denials and sentence-credit issues. He first filed a related state habeas petition in the Augusta County Circuit Court in June 2023, more than one year after the alleged injury began, and filed the federal petition on January 10, 2025.

PROCEDURAL HISTORY

Mu'Min challenged the denial of parole eligibility and sentence-credit recalculation in federal court. He had previously presented related claims to the Circuit Court of Augusta County, which dismissed the petition without prejudice for lack of jurisdiction; the Court of Appeals of Virginia transferred the matter to the Supreme Court of Virginia, which refused the petition after finding no reversible error. The federal court concluded that the claims had not been fairly presented to the state courts and would also be procedurally barred under Virginia's one-year habeas limitations period.

DISPOSITION

dismissed

CASES CITED

- Marron v. Angelone, No. 1:01-cv-1106 (E.D. Va. 2001)
- Marron v. Clarke, No. 1:19-cv-00400, No. 1:19-cv-00910 (E.D. Va. Oct. 25, 2019)
- In re Wright, 826 F.3d 774, 786 (4th Cir. 2016)
- In re Torrence, 828 F. App'x 887, 881 (4th Cir. 2020)
- Walker v. Kelly, 589 F.3d 127, 138–39 (4th Cir. 2009)
- Wolfe v. Johnson, 565 F.3d 140, 169 (4th Cir. 2009)
- O'Sullivan v. Boerckel, 526 U.S. 838, 842, 848 (1999)
- Kent v. Kuplinski, 702 F. App'x 167, 169 (4th Cir. 2017)
- Sparrow v. Dir., Dep't of Corr., 439 F. Supp. 2d 584, 587 (E.D. Va.)
- Mallory v. Smith, 27 F.3d 991, 994 (4th Cir. 1994)
- Derrow v. Shields, 482 F. Supp. 1144, 1147 (W.D. Va. 1980)
- Preiser v. Rodriguez, 411 U.S. 475 (1973)
- Byrd v. North Carolina, 200 F. App'x 235, 236 (4th Cir. 2006)
- Braden v. 30th Jud. Cir. Ct., 410 U.S. 484, 497 (1973)
- Coleman v. Thompson, 501 U.S. 722, 722 (1991)
- Wallace v. Jarvis, 726 F. Supp. 2d 642, 645 (W.D. Va.)
- Marron v. Cook, No. 7:25-cv-00302 (W.D. Va. Nov. 6, 2025)
- Marron v. Cook, No. 240959 (Va. 2025)

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