

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Ronald Fabian Parrales-Mero v. Warden

No. 1:23-cv-00339-CDB (HC), United States District Court for the Eastern District of California (July 25, 2025)

SUMMARY

The magistrate judge recommends dismissing Ronald Fabian Parrales-Mero’s 28 U.S.C. § 2241 petition as moot. The petition sought First Step Act earned time credits, but the court determined that Petitioner’s release from custody eliminated any available habeas relief and recommends dismissal with prejudice.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	July 25, 2025
DOCKET	1:23-cv-00339-CDB (HC)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Federal prisoner filed a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241 seeking earned time credits under the First Step Act. After the Bureau of Prisons released him from custody, the magistrate judge issued findings and recommendations recommending dismissal with prejudice as moot.
STANDARD OF REVIEW	Under Habeas Rule 4, the court must examine the petition and order a response unless it plainly appears that the petitioner is not entitled to relief.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Ronald Fabian Parrales-Mero v. Warden

TOPICS

- federal habeas corpus
- post-conviction relief
- sentence modification
- immigration
- civil procedure

PRACTICE AREAS

- Federal habeas corpus
- Post-conviction relief
- Federal sentencing
- Immigration-related detention

QUESTIONS PRESENTED

1. Whether Petitioner's § 2241 petition seeking earned time credits became moot after his release from federal custody.

HOLDINGS

1. A habeas petition seeking earned time credits to facilitate earlier release is moot when the petitioner has been released from custody and the court can no longer grant the requested relief.

KEY QUOTATIONS

“Because Petitioner has been released from custody, the Court is unable to grant him the relief he seeks -- specifically, the award of ETCs that would permit Petitioner to seek early release. Accordingly, his petition is moot and must be dismissed.” (at 3)

FACTUAL BACKGROUND

Petitioner, a federal prisoner subject to an immigration detainer, sought earned time credits under the First Step Act and asserted that the credits would allow earlier transfer to supervised release or prerelease custody. He filed the petition while housed at FCI Mendota. Bureau of Prisons records showed that he was released from custody on June 16, 2023, and he did not respond to the court's order to show cause regarding mootness.

PROCEDURAL HISTORY

Petitioner filed the § 2241 petition on March 7, 2023, while confined at FCI Mendota. After determining from the Bureau of Prisons inmate locator that Petitioner had been released on June 16, 2023, the court issued an order to show cause why the petition should not be dismissed as moot. Petitioner did not respond, and the show-cause order was returned as undeliverable. The magistrate judge recommended dismissal with prejudice and advised that objections could be filed within 14 days for review by an assigned district judge.

DISPOSITION

dismissed

CASES CITED

- Valdez v. Montgomery, 918 F.3d 687, 693 (9th Cir. 2019)
- Boyd v. Thompson, 147 F.3d 1124, 1127 (9th Cir. 1998)
- Jarvis v. Nelson, 440 F.2d 13, 14 (9th Cir. 1971)
- Harrison v. Ollison, 519 F.3d 952, 955 (9th Cir. 2008)
- Alaimalo v. United States, 645 F.3d 1042, 1046 (9th Cir. 2011)
- Hernandez v. Campbell, 204 F.3d 861, 864 (9th Cir. 2000)
- Zavala v. Ives, 785 F.3d 367, 370 n.3 (9th Cir. 2015)
- Daniels-Hall v. National Education Association, 629 F.3d 992, 998-99 (9th Cir. 2010)
- Munoz v. Rowland, 104 F.3d 1096, 1098 (9th Cir. 1997)

- Johnson v. Matevosian, 745 Fed. Appx. 780, 781 (9th Cir. 2018)
- Sila v. Warden, No. EDCV 22-1632 RSWL (AS), 2023 WL 2504476, at *2-3 (C.D. Cal. Feb. 13, 2023)
- Wilkerson v. Wheeler, 772 F.3d 834, 839 (9th Cir. 2014)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 RONALD FABIAN PARRALES-MERO, No. 1:23-cv-00339-CDB (HC) 12
Petitioner, FINDINGS AND RECOMMENDATIONS TO DISMISS PETITION FOR WRIT OF
13 v. HABEAS CORPUS AS MOOT 14 WARDEN, 14-Day Deadline 15 Respondent. Clerk of the
Court to Assign District Judge 16 17 Petitioner Ronald Fabian Parrales-Mero (“Petitioner”), a
federal prisoner proceeding pro 18 se and in forma pauperis, initiated this action by filing a
petition for writ of habeas corpus 19 pursuant to 28 U.S.C. § 2241 on March 7, 2023.

(Doc. 1). 20 Preliminary Screening 21 Under Habeas Rule 4, the judge assigned to the habeas
proceeding must examine the 22 habeas petition and order a response to the petition unless it
“plainly appears” that the petitioner 23 is not entitled to relief. See Valdez v. Montgomery, 918
F.3d 687, 693 (9th Cir. 2019); Boyd v. 24 Thompson, 147 F.3d 1124, 1127 (9th Cir.

1998). A petition for habeas corpus should not be 25 dismissed without leave to amend unless it
appears that no tenable claim for relief can be pleaded 26 were such leave to be granted. Jarvis v.
Nelson, 440 F.2d 13, 14 (9th Cir. 1971). 27 As a general rule, 28 U.S.C. § 2255 “provides the
exclusive procedural mechanism by 28 which a federal prisoner may test the legality of detention.”
Harrison v. Ollison, 519 F.3d 952, 1 955 (9th Cir.

2008) (quotations and citations omitted). Thus, a federal prisoner who wishes to 2 challenge the
validity or constitutionality of his federal conviction or sentence must do so by 3 moving the court
that imposed the sentence to vacate, set aside, or correct the sentence under § 4 2255. Alaimalo v.
United States, 645 F.3d 1042, 1046 (9th Cir. 2011). 5 In contrast to challenges to the legality of a
conviction and sentence, a petition by a 6 federal prisoner challenging the manner, location, or
conditions of a sentence’s execution is 7 brought under 28 U.S.C. § 2241 in the district of
confinement.

See Hernandez v. Campbell, 204 8 F.3d 861, 864 (9th Cir. 2000). The BOP’s calculation of
sentencing credit is an issue pertaining 9 to the execution of a sentence which a habeas petitioner
may challenge through such a petition. 10 See Zavala v. Ives, 785 F.3d 367, 370 n.3 (9th Cir.
2015). 11 Discussion 12 By his petition for writ of habeas corpus, Petitioner seeks the award of
earned time credits 13 (“ETCs”) under the First Step Act, alleging that BOP has improperly denied
him such credit 14 because he is the subject of an immigration detainer.

(Doc. 1 at 2). Petitioner asserts that his 15 inability to receive ETCs denies him “immediate
transfer into supervised release or pre-release 16 custody.” Id. at 6, 7. 17 Petitioner initiated this

action while he was housed a FCI - Mendota (a correctional 18 facility within the Eastern District of California).

However, a review of the BOP's inmate locator 19 for Petitioner's name and "BOP Register Number" reflects that Petitioner was released from 20 custody on June 16, 2023.¹ Accordingly, on June 20, 2025, the undersigned issued an order to 21 show cause directing Petitioner to respond within 21 days and set forth why the petition should 22 not be dismissed for mootness.

(Doc. 6). More than 21 days passed and Petitioner failed to 23 respond. On July 23, 2025, the Court's show cause order was returned "Undeliverable, No 24 Longer at this Address," confirming that Petitioner has been released from custody. 25 ¹ See www.bop.gov/inmateloc/ (last visited July 25, 2025). See also *Daniels-Hall v. 26 National Edu. Ass'n*, 629 F.3d 992, 998-99 (9th Cir.

2010) ("It is appropriate to take judicial 27 notice of this information, as it was made publicly available by government entities... and neither party disputes the authenticity of the web sites or the accuracy of the information displayed [] 28 therein.") ¹ Because Petitioner has been released from custody, the Court is unable to grant him the 2 relief he seeks -- specifically, the award of ETCs that would permit Petitioner to seek early 3 release.

Accordingly, his petition is moot and must be dismissed. See *Munoz v. Rowland*, 104 4 F.3d 1096, 1098 (9th Cir. 1997) (release of a prisoner moots a habeas corpus case); *Johnson v. 5 Matevousian*, 745 Fed. Appx. 780, 781 (9th Cir. 2018) (same); see also, e.g., *Sila v. Warden*, No. 6 EDCV 22-1632 RSWL (AS), 2023 WL 2504476, at *2-3 (C.D. Cal. Feb 13, 2023) ("Because 7 Petitioner has now been released from BOP custody, the relief sought in the Petition is moot, and 8 no further relief remains to be granted in this case.

Indeed, even if Petitioner is currently on 9 supervised release and seeks to apply First Step Act credits to reduce his term of supervised 10 release, that relief is unavailable here") (citing cases). 11 Conclusion and Findings/Recommendation 12 Accordingly, the Clerk of the Court is HEREBY DIRECTED to randomly assign a U.S. 13 District Judge to this action.

14 Further, for the reasons stated above, the undersigned HEREBY RECOMMENDS that the 15 petition be dismissed with prejudice as being mooted by Petitioner's release from custody. 16 These Findings and Recommendations will be submitted to the U.S. District Judge 17 assigned to this case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within 14 days after 18 being served with a copy of these Findings and Recommendations, Petitioner may file written 19 objections with the Court.

Local Rule 304(b). The document should be captioned, "Objections to 20 Magistrate Judge's Findings and Recommendations" and shall not exceed 15 pages without 21 leave of Court and good cause shown. The Court will not consider exhibits attached to the 22 Objections.

To the extent Petitioner wishes to refer to any exhibit(s), he should reference the 23 exhibit in the record by its CM/ECF document and page number, when possible, or otherwise 24 reference the exhibit with specificity. Any pages filed in excess of the 15-page limitation may be 25 disregarded by the U.S. District Judge when reviewing these Findings and Recommendations 26 under 28 U.S.C. § 636(b)(1)(C).

Any failure by Petitioner to file any objections within the 27 specified time may result in the waiver of certain rights on appeal. Wilkerson v. Wheeler, 772 28 /// 1 | F.3d 834, 839 (9th Cir. 2014). 2 | ITIS SOORDERED. >] Dated: _ Sully 25, 2025 | MwnrD Kr A UNITED STATES MAGISTRATE JUDGE 5 6 7 8 9 10 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28