

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

Raymond John Trice v. Warden, Marion-FCI

Trice · No. 25-cv-2154-JPG · Decided April 3, 2026

SUMMARY

The United States District Court for the Southern District of Illinois conducted preliminary review of Raymond John Trice’s 28 U.S.C. § 2241 petition challenging the Bureau of Prisons’ computation of his sentence and credit for 268 days of pretrial detention. The court found that the petition was not plainly meritless, ordered the respondent to answer or otherwise plead by May 4, 2026, and directed service through the United States Attorney’s Office.

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	J. Phil Gilbert
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	April 3, 2026
DOCKET	25-cv-2154-JPG
DISPOSITION	other
PROCEDURAL POSTURE	The petitioner filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging the Bureau of Prisons' computation of his sentence. The district court conducted preliminary review under Rule 4 of the Rules Governing Section 2254 Cases, applied through Rule 1(b), and ordered the respondent to answer or otherwise plead.
STANDARD OF REVIEW	Under Rule 4, the court must dismiss a habeas petition at preliminary review if it plainly appears from the petition and attached exhibits that the petitioner is not entitled to relief. The court applied this standard without deciding the merits.
PRECEDENTIAL VALUE	unpublished
PARTIES	Raymond John Trice v. Warden, Marion-FCI

TOPICS

- federal habeas corpus
- post-conviction relief
- pleadings
- civil procedure

PRACTICE AREAS

Federal habeas corpus

Federal sentencing

Post-conviction relief

QUESTIONS PRESENTED

1. Whether a federal prisoner may use 28 U.S.C. § 2241 to challenge the Bureau of Prisons' computation of his sentence, including credit for pretrial detention.
2. Whether the petition should be dismissed at preliminary review because it plainly appears that the petitioner is not entitled to habeas relief.

HOLDINGS

1. A petitioner may bring a petition under 28 U.S.C. § 2241 to challenge the fact or duration of confinement, including claims that the Bureau of Prisons improperly computed sentence credit.
2. The petition survives preliminary review because it is not plainly apparent that the petitioner is not entitled to habeas relief; the respondent must answer or otherwise plead.

KEY QUOTATIONS

“A petitioner may bring a petition under 28 U.S.C. § 2241 to challenge the fact or duration of the petitioner’s confinement.”

“Accordingly, it is not plainly apparent that the petitioner is not entitled to habeas relief.”

FACTUAL BACKGROUND

Raymond John Trice is incarcerated at FCI-Marion after receiving a 57-month federal sentence for being a felon in possession of a firearm. He challenges the Bureau of Prisons' computation of that sentence, specifically whether 268 days spent in pretrial detention were properly credited. His projected release date was September 21, 2028.

PROCEDURAL HISTORY

Trice was sentenced in the United States District Court for the Eastern District of Missouri to 57 months' imprisonment for being a felon in possession of a firearm. While incarcerated at FCI-Marion, he filed this § 2241 petition challenging whether 268 days of pretrial detention were properly credited toward his sentence. The Southern District of Illinois concluded that the petition was not plainly meritless at the preliminary-review stage and ordered a response, without expressing an opinion on the merits.

DISPOSITION

other

CASES CITED

- United States v. Trice, No. 1:23-cr-65-MTS (E.D. Mo.)

- Preiser v. Rodriguez, 411 U.S. 475, 490 (1973)
- Pope v. Perdue, 889 F.3d 410 (7th Cir. 2018)

OPINION

Trice

PER CURIAM.

UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF ILLINOIS

RAYMOND JOHN TRICE, No. 36229-044,

Petitioner, v. Case No. 25-cv-2154-JPG

WARDEN, MARION-FCI,

Respondent.

MEMORANDUM AND ORDER FOR SERVICE OF PROCESS

This matter comes before the Court on petitioner Raymond John Trice’s petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 (Doc. 1). The petitioner is incarcerated at the Federal Correctional Institute at Marion, Illinois (“FCI-Marion”). The petitioner is challenging the computation of his sentence, including whether 268 days he served in pretrial detention was properly credited by the Bureau of Prisons toward his sentence. This matter is now before the Court for preliminary review pursuant to Rule 4 of the Federal Rules Governing Section 2254 Cases in United States District Courts. Rule 4 provides that upon preliminary consideration by a district judge, “[i]f it plainly appears from the petition and any attached exhibits that the petitioner is not entitled to relief in the district court, the judge must dismiss the petition and direct the clerk to notify the petitioner.” Rule 1(b) of the Federal Rules Governing Section 2254 Cases gives this Court the authority to apply the rules to other habeas corpus cases. In November 2023, the petitioner was sentenced to serve 57 months in prison for one count of being a felon in possession of a firearm in the United States District Court for the Eastern District of Missouri. *United States v. Trice*, No. 1: 23-cr-65-MTS (E.D. Mo.). He is currently incarcerated at FCI-Marion with a projected release date of September 21, 2028. See BOP, Find an Inmate, <https://www.bop.gov/inmateloc/> (visited April 2, 2026). He claims that the BOP has incorrectly A petitioner may bring a petition under 28 U.S.C. § 2241 to challenge the fact or duration of the petitioner’s confinement. *Preiser v. Rodriguez*, 411 U.S. 475, 490 (1973). This includes claims for improper sentence computation under 18 U.S.C. §§ 3584 and 3585. See *Pope v. Perdue*, 889 F.3d 410 (7th Cir. 2018). Thus, the petitioner’s claims are properly raised in this § 2241 petition. Accordingly, it is not plainly apparent that the petitioner is not entitled to habeas relief. Without commenting on the merits of the petitioner’s claims, the Court concludes that the § 2241 petition survives preliminary review pursuant to Rule 4, and the Court will order a response. IT IS THEREFORE ORDERED that the respondent shall answer or otherwise plead on or before May 4, 2026. This preliminary order to respond does not preclude the respondent from raising any

objection or defense the respondent may wish to present. Service upon the United States Attorney for the Southern District of Illinois, 750 Missouri Avenue, East St. Louis, Illinois, shall constitute sufficient service. The petitioner is ADVISED of his continuing obligation to keep the Clerk and opposing parties informed of any change in the petitioner's whereabouts while this action is pending. This notification must be in writing no later than 14 days after a transfer or other change in address. Failure to provide notice may result in dismissal of this action. See Fed. R. Civ. P. 41(b). IT IS SO ORDERED. DATED: April 3, 2026 fH ‘

J.PHIL GILBERT >

DISTRICT JUDGE