

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
ALABAMA

Michael Johnson v. Christopher West

No. 2:23-CV-00328-BL-JTA (M.D. Ala. Mar. 31, 2026) · No. 2:23-CV-00328-BL-JTA · Decided March 31, 2026

SUMMARY

The United States District Court for the Middle District of Alabama dismissed without prejudice Michael Johnson’s pretrial habeas petition under 28 U.S.C. § 2241. The court held that Johnson had not exhausted available Alabama state remedies, including appellate review of his pending state habeas proceedings, and had not shown that those remedies were unavailable or ineffective. The court also denied pending motions for appointment of counsel as moot.

CASE DETAILS

COURT	United States District Court for the Middle District of Alabama
WRITING FOR THE COURT	Bill Lewis
JURISDICTION	United States District Court for the Middle District of Alabama
DECIDED	March 31, 2026
DOCKET	2:23-CV-00328-BL-JTA
DISPOSITION	dismissed
PROCEDURAL POSTURE	A pretrial detainee filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging matters arising from his pending Alabama criminal case, including the timeliness of his initial appearance, ineffective assistance of counsel, and denial of a speedy trial.
STANDARD OF REVIEW	The court applied the exhaustion requirement governing federal habeas petitions under § 2241 and considered whether the petitioner had shown that state remedies were unavailable or ineffective.
PRECEDENTIAL VALUE	Unknown
PARTIES	Michael Johnson v. Christopher West

TOPICS

- federal habeas corpus
- post-conviction relief
- state post-conviction relief
- speedy trial
- right to counsel

PRACTICE AREAS

Federal habeas corpus

Criminal procedure

Post-conviction relief

Constitutional law

QUESTIONS PRESENTED

1. Whether a federal district court may grant a pretrial detainee's § 2241 habeas petition when the petitioner has not fully exhausted available Alabama state remedies.
2. Whether the pending § 2241 petition should be dismissed without prejudice so that the petitioner may complete available state proceedings.
3. Whether the petitioner was entitled to appointment of counsel in the federal habeas proceeding.

HOLDINGS

1. A federal district court may not grant a state pretrial detainee's § 2241 petition unless the petitioner has exhausted all available and adequate state remedies, including fairly presenting the federal claim to the state courts and pursuing the claim through the state's highest court by direct appeal or collateral review.
2. An unexhausted § 2241 petition filed by a state pretrial detainee should be dismissed without prejudice when available state remedies have not been fully pursued and the petitioner has not shown that those remedies are unavailable or ineffective.
3. Appointment of counsel was not warranted because the petition lacked merit on the exhaustion issue and no evidentiary hearing was required.

KEY QUOTATIONS

“It is by now well established that a district court may not grant a § 2241 petition unless the petitioner has exhausted all available state remedies.” (at 1)

“Therefore, because the Petitioner failed to fully exhaust all available state remedies before filing the instant § 2241 Petition and has failed to establish that such remedies are unavailable or ineffective, the court concludes that the instant Petition should be dismissed without prejudice so that the Petitioner may exhaust his available state remedies.” (at 4)

FACTUAL BACKGROUND

Johnson was a pretrial detainee represented by counsel in a pending Alabama criminal case scheduled for trial on June 15, 2026. He filed a federal § 2241 petition raising claims concerning the timeliness of his initial appearance, ineffective assistance of counsel, and his right to a speedy trial. He had also filed a state habeas petition in the circuit court, where a hearing was scheduled, but he had not shown that he pursued appellate review in the Alabama Court of Criminal Appeals or the Alabama Supreme Court.

PROCEDURAL HISTORY

Johnson filed a § 2241 petition while his state criminal case was pending. Before filing in federal court, he had filed a state habeas petition in the Alabama circuit court, but the state proceeding remained pending and there was no indication that he had presented his claims to the Alabama Court of Criminal Appeals or the Alabama

Supreme Court. The district court dismissed the federal petition without prejudice for failure to exhaust available state remedies and denied pending motions as moot, separately denying requests for appointment of counsel.

DISPOSITION

dismissed

CASES CITED

- Johnson v. Florida, 32 F.4th 1092, 1095–96, 1099 (11th Cir. 2022)
- Wilkinson v. Dotson, 544 U.S. 74, 79 (2005)
- Dickerson v. State of La., 816 F.2d 220, 225 (5th Cir. 1987)
- Braden v. 30th Jud. Cir. Ct. of Kentucky, 410 U.S. 484, 489–90 (1973)
- O’Sullivan v. Boerckel, 526 U.S. 838, 845 (1999)
- Younger v. Harris, 401 U.S. 37 (1971)
- Lewis v. Broward Cnty. Sheriff Off., No. 20-14603, 2021 WL 5217718, at *1 (11th Cir. Nov. 9, 2021)
- Hughes v. Att’y Gen. of Fla., 377 F.3d 1258, 1262 (11th Cir. 2004)
- Gates v. Strain, 885 F.3d 874, 882 (5th Cir. 2018)
- Brown v. Estelle, 530 F.2d 1280, 1283 (5th Cir. 1976)
- Tooten v. Shevin, 493 F.2d 173 (5th Cir. 1974), cert. denied, 421 U.S. 966 (1975)
- Carpenter v. Sec’y, Dep’t of Corr., No. 8:18-cv-823-T-17CPT, 2018 WL 10847429, at *1 (M.D. Fla. Apr. 6, 2018)
- Marshall v. Richie, No. 2:18-cv-808-ECM, 2018 WL 6985203, at *2 (M.D. Ala. Nov. 30, 2018)
- McBride v. Sharpe, 25 F.3d 962, 971 (11th Cir. 1994)
- Schultz v. Wainwright, 701 F.2d 900, 901 (11th Cir. 1983)

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