

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TEXAS, EL PASO DIVISION

Arquimedes Casiano Mero-Delgado v. FCI La Tuna, Warden

Mero-Delgado · No. No. 3:25-CV-00059-LS · Decided January 28, 2026

SUMMARY

The United States District Court for the Western District of Texas denies Arquimedes Casiano Mero-Delgado’s pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court holds that his final order of removal makes him ineligible to apply First Step Act earned time credits toward prerelease custody or supervised release. The court also rejects his equal protection claim, concluding that the Bureau of Prisons’ exclusion of prisoners subject to removal orders is rationally related to a legitimate governmental interest.

CASE DETAILS

COURT	United States District Court for the Western District of Texas, El Paso Division
WRITING FOR THE COURT	Leon Schydlower
JURISDICTION	United States District Court for the Western District of Texas, El Paso Division
DECIDED	January 28, 2026
DOCKET	No. 3:25-CV-00059-LS
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241, asserting that the Bureau of Prisons improperly removed First Step Act earned time credits from his projected release calculation and denied him equal protection. The district court denied the petition and ordered the clerk to close the case.
STANDARD OF REVIEW	For § 2241 relief, the petitioner must show that he is in custody in violation of the Constitution or laws or treaties of the United States. The equal protection claim was evaluated under rational-basis review because the classification based on immigration status did not involve a suspect class or fundamental right.
PRECEDENTIAL VALUE	nonprecedential district court memorandum opinion

PARTIES

Arquimedes Casiano Mero-Delgado v. FCI La Tuna, Warden

TOPICS

federal habeas corpus

sentence modification

immigration detention

equal protection

rational basis review

PRACTICE AREAS

federal habeas corpus

federal sentencing

prisoner litigation

immigration law

constitutional law

QUESTIONS PRESENTED

1. Whether a federal prisoner subject to a final order of removal is eligible to apply First Step Act earned time credits toward prerelease custody or supervised release.
2. Whether the Bureau of Prisons violated equal protection by excluding prisoners subject to removal orders from time-credit-based community programs and release-related placement.

HOLDINGS

1. A prisoner who is the subject of a final order of removal is ineligible to apply First Step Act earned time credits toward prerelease custody or supervised release under 18 U.S.C. § 3632(d)(4)(E)(i). Mero-Delgado's ICE detainer and Order of Removal established that he was subject to a final order of removal.
2. The Bureau of Prisons' exclusion of prisoners subject to final orders of removal from prerelease custody, supervised release, and related community-based programs did not violate equal protection because the classification was rationally related to the legitimate governmental interest of preventing immigration detainees from fleeing into the general population.

KEY QUOTATIONS

“Challenges to the validity of any confinement or to particulars affecting its duration are the province of habeas corpus.” (Legal Standard)

“The BOP’s determination that a prisoner subject to a removal order is ineligible for prerelease custody or supervised release programs is rationally related to the legitimate governmental interest of preventing immigration detainees from fleeing into the general population during the community-based portion of these programs.” (Analysis)

FACTUAL BACKGROUND

Mero-Delgado, an Ecuadorian citizen confined at FCI La Tuna, pleaded guilty in the Middle District of Florida to drug-trafficking offenses involving a vessel subject to United States jurisdiction and received an 87-month sentence after reduction. He claimed to have earned First Step Act time credits through recidivism-reduction programs and productive activities. Although he had an ICE detainer and a June 20, 2023 Order of Removal, he argued that the Bureau of Prisons improperly excluded his credits from calculations for prerelease custody or supervised release and denied him equal protection.

PROCEDURAL HISTORY

Mero-Delgado, a federal prisoner, filed a pro se § 2241 petition challenging the execution and duration of his sentence. The district court determined that his final order of removal made him ineligible to apply First Step Act earned time credits toward prerelease custody or supervised release and rejected his equal protection claim.

DISPOSITION

dismissed

CASES CITED

- Muhammad v. Close, 540 U.S. 749, 750 (2004) (per curiam)
- Preiser v. Rodriguez, 411 U.S. 475, 500 (1973)
- Pack v. Yusuff, 218 F.3d 448, 451 (5th Cir. 2000)
- Stefanoff v. Hays County, 154 F.3d 523, 525-26 (5th Cir. 1998)
- Rublee v. Fleming, 160 F.3d 213, 217 (5th Cir. 1998)
- Wottlin v. Fleming, 136 F.3d 1032, 1036 (5th Cir. 1998)
- Carvajal v. Tombone, 31 F. App'x 155 (5th Cir. 2001)

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