

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WISCONSIN

Rohan L. Fray v. Warden E. Emmerich

No. 24-cv-838-jdp (W.D. Wis. Apr. 13, 2026) · No. 24-cv-838-jdp · Decided April 13, 2026

SUMMARY

The court denied Rohan L. Fray’s petition for a writ of habeas corpus under 28 U.S.C. § 2241, challenging the loss of good-conduct time imposed after a prison disciplinary hearing. The court held that Fray failed to exhaust available Bureau of Prisons administrative remedies and, alternatively, that the disciplinary finding was supported by some evidence consistent with due process.

CASE DETAILS

COURT	United States District Court for the Western District of Wisconsin
WRITING FOR THE COURT	James D. Peterson
JURISDICTION	United States District Court for the Western District of Wisconsin
DECIDED	April 13, 2026
DOCKET	24-cv-838-jdp
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought a writ of habeas corpus under 28 U.S.C. § 2241 challenging the loss of good-conduct time imposed in a prison disciplinary proceeding. The district court denied the petition for failure to exhaust administrative remedies and alternatively denied it on the merits.
STANDARD OF REVIEW	For the due process challenge, whether the disciplinary decision was supported by some evidence, a lenient standard requiring only a modicum of evidence; the court does not independently assess credibility or reweigh the evidence. Exhaustion was considered under the general requirement that prisoners exhaust the Bureau of Prisons administrative remedy program before bringing a § 2241 action.
PRECEDENTIAL VALUE	unpublished
PARTIES	Rohan L. Fray v. Warden E. Emmerich

TOPICS

federal habeas corpus

exhaustion of remedies

due process

prisoners rights

post-conviction relief

PRACTICE AREAS

federal habeas corpus

prisoners rights

constitutional law

administrative law

QUESTIONS PRESENTED

1. Whether Fray's failure to appeal the disciplinary hearing officer's written decision through the Bureau of Prisons administrative remedy process required denial of his § 2241 petition for failure to exhaust administrative remedies.
2. Whether the disciplinary conviction violated due process because the record lacked some evidence that Fray possessed a hazardous tool.

HOLDINGS

1. Fray failed to exhaust the Bureau of Prisons administrative remedy process before filing his § 2241 petition, and the circumstances did not warrant excusing exhaustion.
2. Even if exhaustion were excused, Fray's due process challenge failed because some evidence supported the finding that he possessed a hazardous tool.

KEY QUOTATIONS

“Even meager proof will suffice, so long as the record is not so devoid of evidence that the findings of the disciplinary board were without support or otherwise arbitrary.” (Analysis, section B)

“Instead, the relevant question is whether there is any evidence in the record that could support the conclusion reached by the disciplinary board.” (Analysis, section B)

FACTUAL BACKGROUND

Fray, incarcerated at FCI-Oxford, was charged with possessing a hazardous tool after officials discovered an unauthorized electrical outlet wired into the light switch in his cell. Fray said he had moved into the cell approximately two weeks earlier, had seen the modification, and believed a work order had authorized it, but the institution found no work order and prison rules made inmates responsible for unauthorized items in their cells. After a disciplinary hearing at which Fray declined a staff representative, witnesses, and documentary evidence, the hearing officer found him guilty and revoked 41 days of good-time credit.

PROCEDURAL HISTORY

Fray was disciplined by the Bureau of Prisons for possessing a hazardous tool after an unauthorized electrical outlet was found in his cell, and he lost 41 days of good-time credit. He filed a § 2241 petition before receiving the hearing officer's written decision and did not thereafter appeal through the Bureau of Prisons administrative remedy process. The district court directed the government to respond and denied the petition.

DISPOSITION

dismissed

CASES CITED

- United States v. Fray, No. 10-cr-6213 (W.D.N.Y. Apr. 27, 2015)
- Richmond v. Scibana, 387 F.3d 602, 604 (7th Cir. 2004)
- Gonzalez v. O’Connell, 355 F.3d 1010, 1016 (7th Cir. 2004)
- Lee v. Ciolli, No. 21 C 50159, 2021 WL 12408545, at *2–3 (N.D. Ill. Nov. 22, 2021)
- Moon v. Walton, No. 12-CV-1152, 2014 WL 788895, at *2 (S.D. Ill. Feb. 27, 2014)
- Abcarian v. McDonald, 617 F.3d 931, 941 (7th Cir. 2010)
- Jones v. Cross, 637 F.3d 841, 845 (7th Cir. 2011)
- Wolff v. McDonnell, 418 U.S. 539, 563–69 (1974)
- Webb v. Anderson, 224 F.3d 649, 652 (7th Cir. 2000), as amended (Aug. 18, 2000)
- Superintendent, Mass. Corr. Inst., Walpole v. Hill, 472 U.S. 445, 455–56 (1985)
- Deninno v. Martinez, No. 07-cv-132-bbc, 2007 WL 5445546, at *2 (W.D. Wis. May 24, 2007)