

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TENNESSEE

Alexander Ledvina v. Warden C. Harrison

No. 2:25-cv-02097-TLP-cgc (W.D. Tenn. Mar. 23, 2026) · No. No. 2:25-cv-02097-TLP-cgc · Decided March 23, 2026

SUMMARY

The United States District Court for the Western District of Tennessee granted Alexander Ledvina leave to supplement his 28 U.S.C. § 2241 petition, denied his motion to expedite as moot, and granted the respondent’s motion to dismiss. The court dismissed the petition without prejudice because Ledvina failed to exhaust the Bureau of Prisons’ administrative remedies concerning the calculation of First Step Act time credits. The court also concluded that the petition would fail on the merits, certified that an appeal would not be taken in good faith, and denied leave to proceed in forma pauperis on appeal.

CASE DETAILS

COURT	United States District Court for the Western District of Tennessee
WRITING FOR THE COURT	Thomas L. Parker
JURISDICTION	United States District Court for the Western District of Tennessee
DECIDED	March 23, 2026
DOCKET	No. 2:25-cv-02097-TLP-cgc
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241 concerning the Bureau of Prisons' calculation of First Step Act earned time credits. Respondent moved to dismiss for failure to exhaust administrative remedies and on the merits.
STANDARD OF REVIEW	A Rule 12(b)(6) motion is evaluated under the plausibility standard, accepting well-pleaded allegations as true and construing the record in the nonmovant's favor. The court also reviewed the challenged agency action under the Administrative Procedure Act's arbitrary-and-capricious standard, 5 U.S.C. § 706(2)(A).
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Alexander Ledvina v. Warden C. Harrison

TOPICS

federal habeas corpus exhaustion of remedies administrative procedure act judicial review of agency action
appellate procedure

PRACTICE AREAS

Federal habeas corpus Administrative law Civil procedure Appellate procedure

QUESTIONS PRESENTED

1. Whether the court should allow Ledvina to supplement his § 2241 petition with allegations concerning a second PATTERN assessment.
2. Whether the § 2241 petition should be dismissed because Ledvina failed to exhaust available BOP administrative remedies.
3. Whether the BOP's classification of Ledvina's firearm offenses as violent offenses for PATTERN purposes was arbitrary or capricious under the Administrative Procedure Act.
4. Whether Ledvina should be permitted to proceed in forma pauperis on appeal.

HOLDINGS

1. Leave to supplement the pleading was granted because the proposed supplement concerned the same alleged error in the BOP's calculation of First Step Act time credits.
2. A federal prisoner generally must exhaust available BOP administrative remedies before seeking relief under § 2241, and Ledvina had not properly completed that process.
3. Ledvina did not show that the BOP's use of a violent-offense code for his PATTERN assessment or its resulting First Step Act time-credit calculation was arbitrary or capricious; the petition would therefore fail on the merits.
4. Leave to proceed in forma pauperis on appeal was denied because the court certified that an appeal would not be taken in good faith.

KEY QUOTATIONS

“Although Petitioner began the administrative remedy process, he did not fully exhaust the remedies available.” (at PageID 172-73)

“To prevail here Petitioner would have to show that the BOP’s Violent Offense Code is an arbitrary or capricious list that violates the APA.” (at PageID 175)

“And so Petitioner has not shown that the BOP’s calculation of his ETC is an arbitrary or capricious decision.” (at PageID 175)

FACTUAL BACKGROUND

The Bureau of Prisons calculated that Ledvina had earned ninety days of First Step Act time credits, while he contended that he was entitled to 105 days. He challenged the BOP's classification of his federal firearm

convictions as violent offenses for purposes of his PATTERN risk assessment and resulting time-credit calculation. Ledvina had pursued some administrative remedies, but his appeals were rejected at the regional and Central Office levels for procedural deficiencies, and he had not completed the BOP's administrative review process.

PROCEDURAL HISTORY

The petitioner was convicted in the Northern District of Iowa and was serving a federal sentence when he filed this § 2241 petition in the Western District of Tennessee. He supplemented the petition to challenge a second PATTERN assessment. The district court granted leave to supplement, denied the motion to expedite as moot, granted respondent's motion to dismiss, dismissed the petition without prejudice for failure to exhaust BOP administrative remedies, certified that an appeal would not be taken in good faith, and denied leave to proceed in forma pauperis on appeal.

DISPOSITION

dismissed

CASES CITED

- United States v. Ledvina, 166 F.4th 716, 717 (8th Cir. 2026)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Phila. Indem. Ins. Co. v. Youth Alive, Inc., 732 F.3d 645, 649 (6th Cir. 2013)
- Mediacom Se. LLC v. BellSouth Telecommunications, Inc., 672 F.3d 396, 399 (6th Cir. 2012)
- Rondigo, L.L.C. v. Twp. of Richmond, 641 F.3d 673, 680 (6th Cir. 2011)
- Bassett v. Nat'l Collegiate Athletic Ass'n, 528 F.3d 426, 430 (6th Cir. 2008)
- Little v. Hopkins, 638 F.2d 953, 953-54 (6th Cir. 1981)
- Cooper v. Batts, No. 21-5828, 2022 WL 4009862, at *2 (6th Cir. Aug. 25, 2022)
- Fazzini v. Ne. Ohio Corr. Ctr., 473 F.3d 229, 236 (6th Cir. 2006)
- Danmola v. Goldey, No. CIV-23-825-G, 2024 WL 4718913, at *2 (W.D. Okla. Sept. 18, 2024), report and recommendation adopted, 2024 WL 4715106 (W.D. Okla. Nov. 7, 2024)
- Orr v. Hawk, 156 F.3d 651 (6th Cir. 1998)
- Conley v. Healy, No. 5:24-CV-1430, 2025 WL 1736695, at *2 (N.D. Ohio June 23, 2025)
- Loper Bright Enters. v. Raimondo, 603 U.S. 369, 404 (2024)
- Witham v. United States, 355 F.3d 501, 504 (6th Cir. 2004)
- Kincade v. Sparkman, 117 F.3d 949, 952 (6th Cir. 1997)