

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
WEST VIRGINIA, BECKLEY DIVISION

Johnny S. Hobbs v. W. Holzapfel

Hobbs · No. 5:24-cv-00579 · Decided April 8, 2026

SUMMARY

Proposed Findings and Recommendations in a 28 U.S.C. § 2241 habeas case concerning the application of First Step Act earned time credits. The magistrate judge recommends dismissing the petition and denying the respondent's motion to dismiss as moot because the petitioner was released from custody and no exception to mootness applies.

CASE DETAILS

COURT	United States District Court for the Southern District of West Virginia, Beckley Division
WRITING FOR THE COURT	Josey K. Reeder
JURISDICTION	United States District Court for the Southern District of West Virginia, Beckley Division
DECIDED	April 8, 2026
DOCKET	5:24-cv-00579
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner filed a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging the failure to apply First Step Act earned time credits toward his release date. Respondent moved to dismiss. The magistrate judge issued proposed findings and recommendations recommending dismissal as moot after Petitioner was released from custody.
STANDARD OF REVIEW	A habeas petitioner must be in custody when the petition is filed, but subsequent release raises mootness rather than subject-matter jurisdiction. A case is moot when the issues are no longer live or the parties lack a legally cognizable interest in the outcome. The court may raise mootness sua sponte because it implicates Article III jurisdiction.
PRECEDENTIAL VALUE	nonprecedential proposed findings and recommendations

PARTIES

Johnny S. Hobbs v. W. Holzapfel

TOPICS

federal habeas corpus

post-conviction relief

subject matter jurisdiction

motions to dismiss

civil procedure

PRACTICE AREAS

Federal habeas corpus

Post-conviction relief

Federal civil procedure

QUESTIONS PRESENTED

1. Whether Petitioner's release from custody rendered his § 2241 petition seeking application of First Step Act earned time credits moot.
2. Whether the collateral-consequences exception to mootness applied.
3. Whether the capable-of-repetition-yet-evading-review exception to mootness applied.

HOLDINGS

1. Release from custody rendered the petition moot because Petitioner sought only application of earned time credits to advance his release date, and that relief could no longer be granted after his release.
2. The collateral-consequences exception did not apply because Petitioner challenged only the execution of his sentence through application of First Step Act credits, not the validity of his conviction.
3. The capable-of-repetition-yet-evading-review exception did not apply because there was no reasonable expectation that Petitioner would again face the same sentencing circumstances.

KEY QUOTATIONS

“To be justiciable under Article III of the Constitution, a conflict between litigants must present a ‘case or controversy’ both at the time the action is filed and at the time it is decided.”

“Simply stated, a case is moot when the issues presented are no longer ‘live’ or the parties lack a legally cognizable interest in the outcome.”

FACTUAL BACKGROUND

Hobbs filed a § 2241 petition seeking application of First Step Act earned time credits toward his sentence and earlier release, despite being classified as a high recidivism risk. He filed while incarcerated at FCI Beckley. He was released from Bureau of Prisons custody on or about December 16, 2025, before the petition was resolved, and did not file additional pleadings after receiving the court's order to respond.

PROCEDURAL HISTORY

Hobbs filed his § 2241 petition on October 15, 2024, while incarcerated at FCI Beckley. The court ordered Respondent to show cause, and Respondent moved to dismiss on exhaustion, eligibility, reviewability, and liberty-interest grounds. After Petitioner did not file a further response, the court determined from the Bureau of

Prisons inmate locator that he had been released on or about December 16, 2025, and recommended dismissal as moot.

DISPOSITION

dismissed

CASES CITED

- Leonard v. Hammond, 804 F.2d 838, 842 (4th Cir. 1986)
- Ross v. Reed, 719 F.2d 689, 693-94 (4th Cir. 1983)
- Arizonans for Official English v. Arizona, 520 U.S. 43, 68 (1997)
- Powell v. McCormack, 395 U.S. 486, 496 (1969)
- Suarez Corp. Indus. v. McGraw, 125 F.3d 222, 228 (4th Cir. 1997)
- Friedman's, Inc. v. Dunlap, 290 F.3d 191, 197 (4th Cir. 2002)
- Carafas v. LaVallee, 391 U.S. 234 (1968)
- Broughton v. State of N.C., 717 F.2d 147, 148-49 (4th Cir. 1983)
- Weinstein v. Bradford, 423 U.S. 147, 149 (1975)
- Lane v. Williams, 455 U.S. 624, 631 (1982)
- Thomas v. Arn, 474 U.S. 140 (1985)
- Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989)
- Wright v. Collins, 766 F.2d 841 (4th Cir. 1985)
- United States v. Schronce, 727 F.2d 91 (4th Cir. 1984)