

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

Dany Martinez-Torres v. Michael Underwood, Warden, F.C.I.
Loretto, et al.

Martinez-Torres · No. 3:25-cv-136-KAP · Decided December 3, 2025

SUMMARY

The United States District Court for the Western District of Pennsylvania denied Dany Martinez-Torres’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court held that his conviction for distributing 400 grams or more of a substance containing fentanyl made him ineligible to apply First Step Act earned time credits under 18 U.S.C. § 3632(d)(4)(D)(ixvi), regardless of whether he received a leadership-role enhancement. The court ordered the matter closed and stated that the order was final and appealable.

CASE DETAILS

COURT	United States District Court for the Western District of Pennsylvania
WRITING FOR THE COURT	Keith A. Pesto, United States Magistrate Judge
JURISDICTION	United States District Court for the Western District of Pennsylvania
DECIDED	December 3, 2025
DOCKET	3:25-cv-136-KAP
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241, alleging that the Bureau of Prisons unlawfully refused to apply First Step Act earned time credits to his sentence. After the respondent filed a response, the court denied the petition.
STANDARD OF REVIEW	The opinion does not expressly identify a standard of review; it applied the statutory eligibility provisions governing § 2241 relief and reviewed the sentencing and plea records.
PRECEDENTIAL VALUE	Unknown; memorandum order from a federal district court
PARTIES	Dany Martinez-Torres v. Michael Underwood, Warden, F.C.I. Loretto, et al.

TOPICS

federal habeas corpus

post-conviction relief

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Martinez-Torres was eligible under 18 U.S.C. § 3632(d)(4)(D) to have First Step Act earned time credits applied to his sentence despite the absence of a leadership-role enhancement.
2. Whether the absence of an express citation in the judgment and commitment order to the applicable penalty subsection of 21 U.S.C. § 841(b)(1) prevented the Bureau of Prisons from treating the conviction as disqualifying.

HOLDINGS

1. A prisoner serving a sentence for a fentanyl-distribution offense involving the quantities specified in 21 U.S.C. § 841(b)(1)(A)(vi) or (B)(vi) is ineligible to have earned time credits applied under 18 U.S.C. § 3632(d)(4)(D)(ixvi), regardless of whether the sentencing court imposed a leadership-role enhancement.
2. The absence of an express citation to the applicable 21 U.S.C. § 841(b)(1) penalty subsection in the judgment and commitment order does not prevent determination of the applicable earned-time-credit exclusion when the conviction documents establish the offense and quantity.

KEY QUOTATIONS

“That total amount also makes Subsection 3632(d)(4)(D)(Ixvi) the applicable subsection, and disqualifies petitioner from having ETCs applied regardless of the presence or absence of any role enhancement.” (at 2)

“Not every piece of paper in a case must contain all the statutory citations applicable to the case.” (at 2)

FACTUAL BACKGROUND

Martinez-Torres pleaded guilty in the Northern District of Illinois to distributing 400 grams or more of a substance containing a detectable amount of fentanyl, in violation of 21 U.S.C. § 841(a)(1). He received a 64-month sentence followed by three years of supervised release. He claimed that the Bureau of Prisons improperly refused to apply earned time credits for recidivism-reduction programming. The plea agreement also described three fentanyl parcels totaling more than 3,900 grams.

PROCEDURAL HISTORY

Martinez-Torres, a federal inmate at F.C.I. Loretto, filed a § 2241 petition in the Western District of Pennsylvania. The respondent filed a response with records from the underlying criminal case and Bureau of Prisons materials. The court concluded that the petitioner's fentanyl-distribution conviction made him statutorily ineligible to have earned time credits applied and entered a final appealable order denying the petition.

DISPOSITION

other

CASES CITED

- Rodriguez v. Peters, No. 3:24-cv-43-SLH-KAP, 2024 WL 5483303, at *1 (W.D. Pa. June 10, 2024)
- United States v. Martinez-Torres, Case No. 1:22-cr-571 (N.D. Ill. July 15, 2024)

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