

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Clark v. Warden, FCI Mendota

No. 1:24-cv-00211-KES-SAB (HC) (E.D. Cal. Mar. 27, 2025) · No. 1:24-cv-00211-KES-SAB (HC) · Decided
March 27, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations in a federal prisoner’s habeas petition under 28 U.S.C. § 2241. The court denied Grounds Two through Four, which challenged Bureau of Prisons grievance and administrative procedures, but found that an evidentiary hearing was necessary on Ground One concerning whether petitioner received the disciplinary hearing officer report required under Wolff v. McDonnell. The matter was referred to the magistrate judge for that hearing.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	March 27, 2025
DOCKET	1:24-cv-00211-KES-SAB (HC)
DISPOSITION	remanded
PROCEDURAL POSTURE	Petitioner sought federal habeas relief under 28 U.S.C. § 2241. After a magistrate judge recommended denying Grounds Two through Four and holding an evidentiary hearing on Ground One, both parties objected. The district court conducted de novo review, adopted the findings and recommendations in full, denied Grounds Two through Four, and referred Ground One for an evidentiary hearing.
STANDARD OF REVIEW	De novo review of the magistrate judge's findings and recommendations under 28 U.S.C. § 636(b)(1). For the evidentiary-hearing issue, the court considered whether a hearing could enable the petitioner to prove factual allegations that, if true, would entitle him to habeas relief.
PRECEDENTIAL VALUE	unpublished, nonprecedential district-court order
PARTIES	Russel Bruce Clark v. Warden, FCI Mendota, Corpus

TOPICS

federal habeas corpus

prisoners rights

procedural due process

due process

civil procedure

PRACTICE AREAS

federal habeas corpus

prison disciplinary proceedings

constitutional due process

prison grievance procedures

civil procedure

QUESTIONS PRESENTED

1. Whether an evidentiary hearing was warranted to resolve the factual dispute over whether Clark received the post-hearing DHO report required by *Wolff v. McDonnell*.
2. Whether alleged violations of BOP procedures concerning the timing of the DHO report and handling of administrative appeals established a constitutional due process violation or warranted habeas relief.
3. Whether a prisoner has a separate constitutional entitlement to a specific prison grievance procedure.

HOLDINGS

1. An evidentiary hearing was appropriate because a genuine factual dispute existed over whether Clark received the post-hearing DHO report, and resolution of the credibility dispute on affidavits was insufficient.
2. Grounds Two through Four did not warrant habeas relief because the challenged BOP procedures did not fall within the constitutional requirements established by *Wolff*, and due process does not require a prison to comply with its own more generous procedures.
3. A prisoner has no separate constitutional entitlement to a specific prison grievance procedure; therefore, alleged defects in the BOP grievance process did not independently support habeas relief.

KEY QUOTATIONS

“Where a prison disciplinary hearing may result in the loss of good time credits, Wolff held that the inmate must receive: (1) advance written notice of the disciplinary charges; (2) an opportunity, when consistent with institutional safety and correctional goals, to call witnesses and present documentary evidence in his defense; and (3) a written statement by the factfinder of the evidence relied on and the reasons for the disciplinary action.” (at 1)

“The requirement of “a written statement is crucial” for two reasons: “to provide a basis for review,” and “to ensure that the [prison hearing officer or board] will act fairly.”” (at 2)

“a prisoner’s “right to due process [i]s violated only if he was not provided with process sufficient to meet the Wolff standard” and does not “require[] the prison to comply with its own, more generous procedures.”” (at 3)

“inmates lack a separate constitutional entitlement to a specific prison grievance procedure.” (at 3)

FACTUAL BACKGROUND

Clark, a federal prisoner at FCI Mendota, challenged prison disciplinary and administrative grievance procedures. He alleged that prison officials failed to provide him with the post-hearing Discipline Hearing Officer report and that BOP officials mishandled or rejected his administrative appeals. The record contained conflicting evidence concerning whether Clark received the DHO report: a notation indicated service, while Clark denied receipt and a unit manager could not recall providing it.

PROCEDURAL HISTORY

Clark filed a § 2241 petition challenging prison disciplinary and administrative grievance procedures. The magistrate judge recommended denial of the claims concerning the BOP grievance process and an evidentiary hearing on whether Clark received the disciplinary hearing officer report. The district court overruled the objections, adopted the findings and recommendations, denied Grounds Two through Four, and referred Ground One to the magistrate judge for an evidentiary hearing.

DISPOSITION

remanded

REMAND INSTRUCTIONS

The matter was referred back to the magistrate judge to conduct an evidentiary hearing on Ground One, concerning whether Clark was provided a copy of the DHO report.

CASES CITED

- Superintendent v. Hill, 472 U.S. 445, 454-55 (1985)
- Wolff v. McDonnell, 418 U.S. 539, 556, 565 (1974)
- Cato v. Rushen, 824 F.2d 703, 705 (9th Cir. 1987)
- Blackledge v. Allison, 431 U.S. 63, 82 n.25 (1977)
- Schiro v. Landrigan, 550 U.S. 465, 474 (2007)
- Walker v. Sumner, 14 F.3d 1415, 1420 (9th Cir. 1994)
- Sandin v. Conner, 515 U.S. 472 (1995)
- Ramirez v. Galaza, 334 F.3d 850, 860 (9th Cir. 2003)
- Mann v. Adams, 855 F.2d 639, 640 (9th Cir. 1988)