

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Parrales-Mero v. Warden at FCI Mendota

No. 1:23-cv-00339-CDB (HC) · No. No. 1:23-cv-00339-CDB (HC) · Decided June 20, 2025

SUMMARY

The United States District Court for the Eastern District of California ordered Petitioner Ronald Fabian Parrales-Mero to show cause why his 28 U.S.C. § 2241 petition should not be dismissed as moot. The petition challenged the Bureau of Prisons’ denial of First Step Act earned time credits based on an immigration detainer, but the court determined that Petitioner’s release from custody appeared to eliminate the requested relief.

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	June 20, 2025
DOCKET	No. 1:23-cv-00339-CDB (HC)
DISPOSITION	other
PROCEDURAL POSTURE	A federal prisoner proceeding pro se filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging the Bureau of Prisons' denial of First Step Act earned time credits. After determining from publicly available Bureau of Prisons information that the petitioner had been released, the court ordered him to show cause why the petition should not be dismissed as moot.
STANDARD OF REVIEW	Under Habeas Rule 4, the court preliminarily examines the petition and orders a response unless it plainly appears that the petitioner is not entitled to relief. A habeas petition should not be dismissed without leave to amend unless no tenable claim for relief could be pleaded.
PRECEDENTIAL VALUE	unpublished
PARTIES	Ronald Fabian Parrales-Mero v. Warden at FCI Mendota

TOPICS

- federal habeas corpus
- post-conviction relief
- sentence modification
- pleadings
- civil procedure

PRACTICE AREAS

Federal habeas corpus

Post-conviction relief

Federal sentencing

Mootness

QUESTIONS PRESENTED

1. Whether a federal prisoner's challenge to the Bureau of Prisons' calculation or denial of First Step Act earned time credits is properly brought under 28 U.S.C. § 2241.
2. Whether the petition became moot when petitioner was released from custody and the court could no longer grant the requested earned-time-credit relief.
3. Whether the court should dismiss the petition immediately or first provide petitioner an opportunity to show cause why dismissal for mootness is unwarranted.

HOLDINGS

1. A federal prisoner challenging the manner, location, or conditions of sentence execution, including the Bureau of Prisons' calculation of sentencing credits, may proceed under 28 U.S.C. § 2241 in the district of confinement.
2. The petition appeared moot because petitioner had been released from custody and the court could no longer award the requested earned-time credits to permit early release.
3. Before dismissing the petition for mootness, the court required petitioner to show cause within 21 days why the action should not be dismissed.

KEY QUOTATIONS

“Because he has been released from custody, the Court is unable to grant him the relief he seeks -- specifically, the award of ETCs that would permit Petitioner to seek early release. Accordingly, his petition is moot and must be dismissed.” (at 2)

FACTUAL BACKGROUND

Petitioner, a federal prisoner subject to an immigration detainer, alleged that the Bureau of Prisons improperly denied him First Step Act earned time credits. He claimed the credits would allow immediate transfer to supervised release or prerelease custody. He filed the petition while housed at FCI Mendota, but Bureau of Prisons records showed that he was released from custody on June 16, 2023.

PROCEDURAL HISTORY

Petitioner filed the § 2241 petition on March 7, 2023, while confined at FCI Mendota. The court's preliminary screening identified that petitioner had been released from custody on June 16, 2023, and concluded that the requested early-release-related relief appeared unavailable. Rather than immediately dismissing the action, the court issued an order requiring petitioner to respond within 21 days and warned that failure to respond would result in a recommendation of dismissal with prejudice.

DISPOSITION

CASES CITED

- Valdez v. Montgomery, 918 F.3d 687, 693 (9th Cir. 2019)
- Boyd v. Thompson, 147 F.3d 1124, 1127 (9th Cir. 1998)
- Jarvis v. Nelson, 440 F.2d 13, 14 (9th Cir. 1971)
- Harrison v. Ollison, 519 F.3d 952, 955 (9th Cir. 2008)
- Alaimalo v. United States, 645 F.3d 1042, 1046 (9th Cir. 2011)
- Hernandez v. Campbell, 204 F.3d 861, 864 (9th Cir. 2000)
- Zavala v. Ives, 785 F.3d 367, 370 n.3 (9th Cir. 2015)
- Munoz v. Rowland, 104 F.3d 1096, 1098 (9th Cir. 1997)
- Johnson v. Matevousian, 745 Fed. Appx. 780, 781 (9th Cir. 2018)
- Sila v. Warden, No. EDCV 22-1632 RSWL (AS), 2023 WL 2504476, at *2-3 (C.D. Cal. Feb. 13, 2023)
- Daniels-Hall v. National Education Association, 629 F.3d 992, 998-99 (9th Cir. 2010)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 RONALD FABIAN PARRALES-MERO, No. 1:23-cv-00339-CDB (HC) 12
Petitioner, ORDER TO SHOW CAUSE WHY PETITION FOR WRIT OF HABEAS CORPUS
SHOULD 13 v. NOT BE DISMISSED AS MOOT 14 WARDEN, 21-Day Deadline 15
Respondent. 16 17 Petitioner Ronald Fabian Parrales-Mero (“Petitioner”), a federal prisoner
proceeding pro 18 se and in forma pauperis, initiated this action by filing a petition for writ of
habeas corpus 19 pursuant to 28 U.S.C. § 2241 on March 7, 2023.

(Doc. 1). 20 Preliminary Screening 21 Under Habeas Rule 4, the judge assigned to the habeas
proceeding must examine the 22 habeas petition and order a response to the petition unless it
“plainly appears” that the petitioner 23 is not entitled to relief. See Valdez v. Montgomery, 918
F.3d 687, 693 (9th Cir. 2019); Boyd v. 24 Thompson, 147 F.3d 1124, 1127 (9th Cir.

1998). A petition for habeas corpus should not be 25 dismissed without leave to amend unless it
appears that no tenable claim for relief can be pleaded 26 were such leave to be granted. Jarvis v.
Nelson, 440 F.2d 13, 14 (9th Cir. 1971). 27 As a general rule, 28 U.S.C. § 2255 “provides the
exclusive procedural mechanism by 28 which a federal prisoner may test the legality of detention.”
Harrison v. Ollison, 519 F.3d 952, 1 955 (9th Cir.

2008) (quotations and citations omitted). Thus, a federal prisoner who wishes to 2 challenge the
validity or constitutionality of his federal conviction or sentence must do so by 3 moving the court
that imposed the sentence to vacate, set aside, or correct the sentence under § 4 2255. Alaimalo v.
United States, 645 F.3d 1042, 1046 (9th Cir. 2011). 5 In contrast to challenges to the legality of a

conviction and sentence, a petition by a 6 federal prisoner challenging the manner, location, or conditions of a sentence's execution is 7 brought under 28 U.S.C. § 2241 in the district of confinement.

See *Hernandez v. Campbell*, 204 8 F.3d 861, 864 (9th Cir. 2000). The BOP's calculation of sentencing credit is an issue pertaining 9 to the execution of a sentence which a habeas petitioner may challenge through such a petition. 10 See *Zavala v. Ives*, 785 F.3d 367, 370 n.3 (9th Cir. 2015). 11 Discussion 12 By his petition for writ of habeas corpus, Petitioner seeks the award of earned time credits 13 ("ETCs") under the First Step Act, alleging that BOP has improperly denied him such credit 14 because he is the subject of an immigration detainer.

(Doc. 1 at 2). Petitioner asserts that his 15 inability to receive ETCs denies him "immediate transfer into supervised release or pre-release 16 custody." *Id.* at 6, 7. 17 Petitioner initiated this action while he was housed at FCI - Mendota (a correctional 18 facility within the Eastern District of California).

However, a review of the BOP's inmate locator 19 for Petitioner's name and "BOP Register Number" reflects that Petitioner was released from 20 custody on June 16, 2023.¹ Because he has been released from custody, the Court is unable to 21 grant him the relief he seeks -- specifically, the award of ETCs that would permit Petitioner to 22 seek early release.

Accordingly, his petition is moot and must be dismissed. See *Munoz v. Rowland*, 104 F.3d 1096, 1098 (9th Cir. 1997) (release of a prisoner moots a habeas corpus case); 24 *Johnson v. Matevousian*, 745 Fed. Appx. 780, 781 (9th Cir. 2018) (same); see also, e.g., *Sila v.* 25 1 See www.bop.gov/inmateloc/ (last visited June 20, 2023). See also *Daniels-Hall v. National Edu.*

Ass'n, 629 F.3d 992, 998-99 (9th Cir. 2010) ("It is appropriate to take judicial 27 notice of this information, as it was made publicly available by government entities... and neither party disputes the authenticity of the web sites or the accuracy of the information displayed [] 28 therein.") 1 | Warden, No. EDCV 22-1632 RSWL (AS), 2023 WL 2504476, at *2-3 (C.D.

Cal. Feb 13, 2023) 2 | ('Because Petitioner has now been released from BOP custody, the relief sought in the Petition is 3 | moot, and no further relief remains to be granted in this case. Indeed, even if Petitioner is 4 | currently on supervised release and seeks to apply First Step Act credits to reduce his term of 5 || supervised release, that relief is unavailable here") (citing cases).

6 | Conclusion and Order 7 Accordingly, it is HEREBY ORDERED, within 21 days of entry of this Order, Petitioner 8 | shall show cause in writing why his petition for writ of habeas corpus should not be dismissed for 9 | mootness. 10 Any failure by Petitioner to timely respond to this order will result in the undersigned 11 recommending that this action be dismissed with prejudice.

12 | IT IS SOORDERED. 'S | Dated: _ June 20, 2025 | hr 14 UNITED STATES MAGISTRATE
JUDGE 15 16 17 18 19 20 21 22 23 24 25 26 27 28

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