

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Christopher Williams v. Warden, USP-Mendota

Williams v. Warden · No. 1:25-cv-00546-SKO (HC) · Decided September 9, 2025

SUMMARY

The United States District Court for the Eastern District of California construed the respondent's motion to dismiss as an answer and denied Christopher Williams's 28 U.S.C. § 2241 habeas petition with prejudice. The court held that Williams's procedural due process rights were not violated in connection with a prison disciplinary proceeding because he received the required process and ultimately received the disciplinary hearing report. The court directed the clerk to enter judgment and close the case.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 CHRISTOPHER WILLIAMS, Case No. 1:25-cv-00546-SKO (HC) 12
Petitioner, ORDER CONSTRUING MOTION TO DISMISS AS ANSWER, DENYING 13 v.
PETITION FOR WRIT OF HABEAS CORPUS AND DIRECTING CLERK OF 14 COURT TO
ENTER JUDGMENT AND CLOSE CASE 15 WARDEN, USP-MENDOTA, [Doc. 11] 16
Respondent.

17 18 Petitioner is a federal prisoner proceeding pro se with a petition for writ of habeas 19 corpus
pursuant to 28 U.S.C. § 2241. He is currently in the custody of the Bureau of Prisons 20 ("BOP")
at the Federal Correctional Institution in Mendota, California. All parties having 21 consented to
the jurisdiction of the magistrate judge, on June 20, 2025, the Court issued an 22 order reassigning
the case to the undersigned for all purposes, including entry of final 23 judgment.

See 28 U.S.C. § 636(c). (Doc. 8.) 24 On May 8, 2025, Petitioner filed the instant habeas petition
claiming his procedural due 25 process rights were violated. (Doc. 1.) On August 14, 2025,
Respondent filed a motion to 26 dismiss the petition contending that Petitioner's due process
rights were not violated. (Doc. 11.) 27 On September 4, 2025, Petitioner filed an
opposition/traverse.

(Doc. 12.) For reasons discussed 1 merits. 2 I. BACKGROUND 3 On June 11, 2024, an incident
report was issued charging Petitioner with assaulting 4 another with serious bodily injury in
violation of BOP Code 101 and pressuring another inmate 5 for legal documents and information
in violation of BOP Code 231. (Doc. 11-1 at 10.) 6 On June 18, 2024, a disciplinary hearing was
conducted.

(Doc. 11-1 at 5-9.) Petitioner 7 did not dispute the charges and entered a plea of “guilty.” (Doc. 11-1 at 5-9.) Petitioner was 8 sanctioned with, inter alia, a loss of 41 days of good conduct time credits. (Doc. 11-1 at 9.) 9 II. DISCUSSION 10 A. Jurisdiction 11 Writ of habeas corpus relief extends to a person in custody under the authority of the 12 United States.

See 28 U.S.C. § 2241. While a federal prisoner who wishes to challenge the 13 validity or constitutionality of his conviction must bring a petition for writ of habeas corpus 14 pursuant to 28 U.S.C. § 2255, a petitioner challenging the manner, location, or conditions of 15 that sentence's execution must bring a petition for writ of habeas corpus under 28 U.S.C. § 16 2241.

See, e.g., *Brown v. United States*, 610 F.2d 672, 677 (9th Cir. 1990); *Capaldi v. 17 Pontesso*, 135 F.3d 1122, 1123 (6th Cir. 1998); *Kingsley v. Bureau of Prisons*, 937 F.2d 26, 30 18 n.5 (2nd Cir. 1991); *United States v. Jalili*, 925 F.2d 889, 893-94 (6th Cir. 1991).

To receive 19 relief under 28 U.S.C. § 2241 a petitioner in federal custody must show that his sentence is 20 being executed in an illegal, but not necessarily unconstitutional, manner. See, e.g., *Clark v. 21 Floyd*, 80 F.3d 371, 372, 374 (9th Cir. 1995) (contending time spent in state custody should be 22 credited toward federal custody); *Jalili*, 925 F.2d at 893-94 (asserting petitioner should be 23 housed at a community treatment center); *Barden*, 921 F.2d at 479 (arguing Bureau of Prisons 24 erred in determining whether petitioner could receive credit for time spent in state custody); 25 *Brown*, 610 F.2d at 677 (challenging content of inaccurate pre-sentence report used to deny 26 parole).

27 Petitioner challenges the execution of his sentence. Therefore, the Court has jurisdiction 1 B. Venue 2 A petitioner filing a petition for writ of habeas corpus under 28 U.S.C. § 2241 must file 3 the petition in the judicial district of the petitioner's custodian. *Brown*, 610 F.2d at 677. 4 Petitioner is in the custody of the Bureau of Prisons at FCI-Mendota, which is located within 5 the jurisdiction of this Court.

28 U.S.C. §§ 2254(a); 2241(d). Therefore, venue is proper in 6 this Court. 7 C. Exhaustion 8 Before filing a petition for writ of habeas corpus, a federal prisoner challenging any 9 circumstance of imprisonment must first exhaust all administrative remedies. *Martinez v. 10 Roberts*, 804 F.2d 570, 571 (9th Cir. 1986); *Chua Han Mow v. United States*, 730 F.2d 1308, 11 1313 (9th Cir.

1984); *Ruwiwat v. Smith*, 701 F.2d 844, 845 (9th Cir. 1983). The requirement 12 that federal prisoners exhaust administrative remedies before filing a habeas corpus petition 13 was judicially created; it is not a statutory requirement. *Brown v. Rison*, 895 F.2d 533, 535 14 (9th Cir. 1990).

Thus, “because exhaustion is not required by statute, it is not jurisdictional.” 15 *Id.* If Petitioner has not properly exhausted his claims, the district court, in its discretion, may 16 either “excuse the faulty exhaustion and reach the merits or require the petitioner to exhaust his 17 administrative

remedies before proceeding in court.” Id. 18 Respondent does not dispute that Petitioner exhausted his claims administratively.

19 D. Motion to Dismiss 20 Respondent filed its responsive pleading as a “Motion to Dismiss, Under 28 U.S.C. 2254, 21 Rule 4 and Response.” The Court has already undertaken to screen the petition pursuant to 22 Habeas Rule 4, which requires the Court to dismiss a petition if it plainly appears from the 23 petition and any attached exhibits that the petitioner is not entitled to relief in the district court.

24 The Court necessarily had to screen the petition before it issued its order of May 15, 2025, 25 directing Respondent to file an answer. (Doc. 4.) Respondent’s motion is essentially an answer. 26 Indeed, in a manner inconsistent with a motion to dismiss under Rule 4 or Fed. R. Civ. P 27 12(b) (6), the motion addresses the merits of Petitioner’s claims and includes evidence 1 the motion will be construed as an answer.

2 E. Review of Petition 3 Prisoners cannot be entirely deprived of their constitutional rights, but their rights may be 4 diminished by the needs and objectives of the institutional environment. *Wolff v. McDonnell*, 5 418 U.S. 539, 555 (1974). Prison disciplinary proceedings are not part of a criminal 6 prosecution, so a prisoner is not afforded the full panoply of rights in such proceedings.

Id. at 7 556. Thus, a prisoner’s due process rights are moderated by the “legitimate institutional needs” 8 of a prison. *Bostic v. Carlson*, 884 F.2d 1267, 1269 (9th Cir. 1989) (citing *Superintendent, 9 Mass. Corr. Inst. v. Hill*, 472 U.S. 445, 454-455 (1984)). 10 When a prison disciplinary proceeding may result in the loss of good time credits, due 11 process requires that the prisoner receive the following procedural guarantees: (1) advance 12 written notice of at least 24 hours of the disciplinary charges; (2) an impartial hearing body; (3) 13 an opportunity, when consistent with institutional safety and correctional goals, to call 14 witnesses and present documentary evidence in his defense; and (4) a written statement by the 15 factfinder of the evidence relied on and the reasons for the disciplinary action.

Hill, 472 U.S. at 16 454; *Wolff*, 418 U.S. at 563-567. 17 Petitioner does not dispute that he received advanced written notice of the charges, that 18 the hearing body was impartial, or that he was provided an opportunity to call witnesses and 19 present documentary evidence. Petitioner nonetheless contends he was not provided a written 20 statement of reasons and evidence relied on, i.e., a copy of the DHO report.

21 Review of the record reveals that Petitioner’s claims are without merit. The DHO report 22 provides that it was delivered to Petitioner, to wit, “06-25-2024 0848 hrs.” (Doc. 11-1 at 9.) 23 Petitioner was also provided an additional copy of the report during the administrative review 24 process. (Doc. 11-1 at 40-42.) See *Patterson v. Bolster*, 2020 WL 520588 at *6 (E.D.

Va., Jan. 25 31, 2020) (Petitioner's due process claim that he did not receive the DHO Reports was deemed moot because after filing the action, Patterson received the DHO Reports). Even accepting Petitioner's claims to be true, he has not shown any prejudice. 1 at every level of appeal and rejected on the merits. (Doc. 11-1 at 40, 43.) Petitioner offers no 2 evidence or argument that the delay in receiving the report caused negative consequences or 3 affected his ability to defend himself to reviewing administrative bodies.

See Wolff, 418 U.S. at 4 565 (explaining written reports are necessary to properly challenge disciplinary proceeding 5 outcomes, for example, at higher administrative levels of review); Jones v. Smith, 2006 WL 6 1222923, at *2 (E.D. Cal. May 5, 2006) (finding the concern in Wolff that petitioner may be 7 prejudiced by not having a copy of the report was nonexistent).

8 Accordingly, Petitioner fails to demonstrate that his due process rights were violated. 9 Wolff, 418 U.S. at 564. 10 III. ORDER 11 For the foregoing reasons, IT IS HEREBY ORDERED, 12 1) Respondent's motion to dismiss is CONSTRUED as an answer; 13 2) The petition for writ of habeas corpus is DENIED WITH PREJUDICE; and 14 3) The Clerk of Court is DIRECTED to enter judgment and close the case.

15 This terminates this action in its entirety. 16 IT IS SO ORDERED. 17 18 Dated: September 9, 2025 /s/ Sheila K. Oberto. UNITED STATES MAGISTRATE JUDGE 19 20 21 22 23 24 25 26 27