

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
KENTUCKY, NORTHERN DIVISION

Moore v. Brewer

No. 26-44-DLB (E.D. Ky. Mar. 10, 2026) · No. 26-44-DLB · Decided March 10, 2026

SUMMARY

The court denied in part and dismissed in part Latrell S. Moore’s 28 U.S.C. § 2241 habeas petition challenging the calculation of his federal sentence and the validity of his firearms conviction. The court held that Moore had not exhausted administrative remedies, was not entitled to double credit for pretrial custody, and could not use § 2241 to challenge his conviction, particularly in light of his collateral-attack waiver and the limited effect of Executive Order 14206.

CASE DETAILS

COURT	United States District Court for the Eastern District of Kentucky, Northern Division
WRITING FOR THE COURT	David L. Bunning
JURISDICTION	United States District Court for the Eastern District of Kentucky, Northern Division
DECIDED	March 10, 2026
DOCKET	26-44-DLB
DISPOSITION	dismissed
PROCEDURAL POSTURE	Federal prisoner Moore filed a pro se petition under 28 U.S.C. § 2241 challenging the calculation of prior-custody credit and the validity of his firearms conviction. The District of Connecticut transferred the petition to the Eastern District of Kentucky for improper venue. The court screened the petition and denied it in part and dismissed it in part.
STANDARD OF REVIEW	The court screened the § 2241 petition under 28 U.S.C. § 2243 and Rule 4 of the Rules Governing § 2254 Cases, applied to § 2241 petitions through Rule 1(b), and evaluated the pro se pleading under a liberal-construction standard.
PRECEDENTIAL VALUE	Unknown; district court memorandum order
PARTIES	Latrell S. Moore v. David Brewer

TOPICS

federal habeas corpus post-conviction relief sentencing waiver criminal procedure

PRACTICE AREAS

Federal habeas corpus Federal criminal procedure Sentencing and sentence credit

QUESTIONS PRESENTED

1. Whether Moore was entitled under 28 U.S.C. § 2241 to additional prior-custody credit for time already accounted for through a 43-month sentence reduction.
2. Whether the court had jurisdiction under § 2241 to consider Moore's challenge to the validity of his federal firearms conviction.
3. Whether Moore's collateral-attack waiver barred his § 2241 challenge to his conviction or sentence.
4. Whether Executive Order 14206 supplied a basis to invalidate Moore's firearms conviction.

HOLDINGS

1. A federal prisoner seeking § 2241 relief concerning execution of a sentence must first exhaust administrative remedies within the Bureau of Prisons; Moore's admitted failure to exhaust would independently warrant dismissal without prejudice.
2. A prisoner is not entitled to double credit for the same period of detention when that period has already been accounted for through a sentence reduction.
3. The court lacked jurisdiction under § 2241 to entertain Moore's challenge to the validity of his federal firearms conviction because the ordinary remedy for such a challenge is a motion under 28 U.S.C. § 2255.
4. A knowing and voluntary waiver of collateral attack is enforceable to bar a prisoner's § 2241 challenge to his conviction or sentence, including after a change in law.
5. Executive Order 14206 did not provide a legal basis to invalidate Moore's firearms conviction because it created no enforceable substantive or procedural right.

KEY QUOTATIONS

“A defendant cannot receive a double credit for his detention time under § 3585(b)” (2)

“Waivers of the right to bring postconviction challenges remain enforceable after changes in law.” (3)

FACTUAL BACKGROUND

Moore, a federal prisoner confined in Kentucky, challenged the calculation of credit toward his federal sentence, asserting that credit began in March 2023 rather than when he entered federal custody in August 2019. His Connecticut federal judgment imposed a 118-month sentence and reduced that sentence by 43 months to account for time spent in state custody after his August 2019 arrest. Moore also sought removal of his firearms

conviction based on Executive Order 14206. His plea agreement expressly waived appeals and collateral attacks, and he acknowledged that he had not pursued administrative, appellate, or grievance remedies.

PROCEDURAL HISTORY

Moore was sentenced in the District of Connecticut to 118 months for firearms possession and robbery offenses. He filed a § 2241 petition in the District of Connecticut, asserting that he had not received credit for custody beginning in August 2019 and seeking removal of his firearms conviction based on Executive Order 14206. The Connecticut court transferred the petition to the Eastern District of Kentucky. The Kentucky court denied the sentence-credit claim on the merits and dismissed the conviction-validity claim for lack of jurisdiction, while also noting failure to exhaust administrative remedies and an enforceable collateral-attack waiver.

DISPOSITION

dismissed

CASES CITED

- Moore v. Brewer, No. 3:26-CV-161 (D. Conn. 2026)
- Pillow v. Burton, 852 F. App'x 986, 989 (6th Cir.)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Franklin v. Rose, 765 F.2d 82, 84-85 (6th Cir.)
- Fazzini v. Northeast Ohio Correctional Center, 473 F.3d 229, 231 (6th Cir.)
- United States v. Wilson, 112 S. Ct. 1351, 1355-56 (1992)
- United States v. Lytle, 565 F. App'x 386, 392 (6th Cir.)
- Jones v. Hendrix, 143 S. Ct. 1857 (2023)
- Ross v. United States, No. 5:25-CV-1350, 2025 WL 2607711, at *2 (N.D. Ohio Aug. 13, 2025)
- Slusser v. United States, 895 F.3d 437, 439 (6th Cir.), cert. denied, 139 S. Ct. (2019)
- Moser v. Quintana, No. 5:17-CV-386-DCR, 2017 WL 5194507, at *2 (E.D. Ky. Nov. 9, 2017), aff'd, No. 17-6421 (6th Cir. June 21, 2018)
- Rivera v. Warden, FCI, Elkton, 27 F. App'x 511, 515 (6th Cir.)
- Portis v. United States, 33 F.4th 331, 335 (6th Cir.)
- Ford v. United States, No. 25-CV-98, 2025 WL 2661515, at *3 (D. Utah Sept. 17, 2025)
- Ross v. United States, No. 3:25-CV-2387, 2026 WL 359921, at *3 & n.3 (M.D. Pa. Feb. 9, 2026)
- United States v. Holmes, No. 25-CV-704-R, 2026 WL 483271, at *3 (W.D. Okla. Feb. 20, 2026)