

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Domingo Beato-Estrella v. M. Arviza

Beato-Estrella · No. 3:26-CV-245 · Decided March 16, 2026

SUMMARY

The court dismissed without prejudice a pro se federal habeas petition challenging an ICE immigration detainer. The court held that the petitioner had not identified any aspect of his sentence being improperly executed, and that his claims concerning earned time credits and residential reentry or community custody placement were either unavailable or premature. The court also addressed several apparently fabricated or misidentified authorities cited by the petitioner.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Keli M. Neary
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	March 16, 2026
DOCKET	3:26-CV-245
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner brought a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241, challenging an ICE immigration detainer and its alleged effects on sentence-related programs. The court dismissed the petition without prejudice for lack of subject matter jurisdiction.
STANDARD OF REVIEW	The court assessed whether the petition alleged a cognizable challenge to the execution of the sentence and whether the court had subject matter jurisdiction over the habeas claim.
PRECEDENTIAL VALUE	Nonprecedential district court memorandum
PARTIES	Domingo Beato-Estrella v. M. Arviza

TOPICS

- federal habeas corpus
- immigration detention
- subject matter jurisdiction
- removal proceedings
- post-conviction relief

PRACTICE AREAS

immigration

federal habeas corpus

civil procedure

QUESTIONS PRESENTED

1. Whether the petition presented a cognizable habeas challenge to the execution of petitioner's sentence.
2. Whether the alleged denial of good-time credits, Residential Reentry Center placement, or community custody established a present basis for habeas jurisdiction.
3. Whether the court had subject matter jurisdiction over the petition.

HOLDINGS

1. A federal prisoner may proceed by habeas corpus to challenge execution of a sentence only by identifying Bureau of Prisons action inconsistent with a command or recommendation in the sentencing judgment.
2. The asserted denial of good-time credits did not support habeas relief because petitioner was ineligible for those credits under 18 U.S.C. § 3632(d)(4)(D)(lxvi).
3. The placement claim was premature because no placement decision had been made and petitioner was not yet eligible for placement during the final year of his term of imprisonment.
4. The court lacked subject matter jurisdiction because petitioner identified no unlawful interference with execution of his sentence and no presently available program from which the detainer deprived him.

KEY QUOTATIONS

“To challenge the execution of a sentence, a prisoner must show the Bureau of Prisons (“BOP”) is taking some action that is “inconsistent with a command or recommendation in the sentencing judgment.””

“Therefore, this matter will be dismissed without prejudice for lack of subject matter jurisdiction.”

FACTUAL BACKGROUND

Beato-Estrella, a federal prisoner, sought removal of an ICE detainer, asserting that it prevented him from earning time credits, receiving meaningful consideration for Residential Reentry Center placement, and potentially transferring to community custody. He was ineligible for good-time credits because of his fentanyl-distribution conviction, and he had more than a decade remaining on his sentence, making him ineligible for residential reentry or community-custody placement at that time. He did not identify any command or recommendation in his original sentencing judgment that the Bureau of Prisons had failed to carry out.

PROCEDURAL HISTORY

Beato-Estrella filed a habeas petition naming G. Swaney as respondent. Counsel clarified that M. Arviza had become the warden of the facility housing petitioner. After considering the petition, the response, and petitioner's reply, the court concluded that petitioner had not identified any Bureau of Prisons action inconsistent with his sentencing judgment and that his asserted program-related injuries were either unavailable or premature.

DISPOSITION

dismissed

CASES CITED

- Cardona v. Bledsoe, 681 F.3d 533, 535, 537 (3d Cir. 2012)
- Woodall v. Federal Bureau of Prisons, 432 F.3d 235, 241 (3d Cir. 2005)
- Galarza v. Szalczyk, 745 F.3d 634, 640 (3d Cir. 2014)
- Santos v. Warden Allenwood FCI, No. 1:17-CV-02116, 2018 WL 1178251 (M.D. Pa. Mar. 6, 2018)
- Rodriguez v. Ebbert, No. 3:14-CV-02404, 2015 WL 1810315 (M.D. Pa. Apr. 21, 2015)
- Cruz v. United States, No. 1:16-CV-01034, 2016 WL 8732312 (M.D. Pa. Dec. 16, 2016)
- Certain Underwriters at Lloyd's, London v. Pettit, No. C17-259RSM, 2018 WL 1178251 (W.D. Wash. Mar. 6, 2018)
- D.S. v. Department of Children & Families, 164 So. 3d 29 (Fla. Dist. Ct. App. 2015)
- Black Water Management, LLC v. Sprenkle, No. 3:15CV365, 2016 WL 8732312 (E.D. Va. Sept. 30, 2016), aff'd, 691 F. App'x 715 (4th Cir. 2017)
- Firestone v. Rockovich, No. 1:17-CV-2116, 2018 WL 347728 (M.D. Pa. Jan. 10, 2018)
- Fagal v. Marywood University, No. 3:14-CV-02404, 2018 WL 1993790 (M.D. Pa. Apr. 27, 2018), aff'd, 786 F. App'x 353 (3d Cir. 2019)
- Drake v. Warden of Allenwood Low, No. 1:16-CV-01034, 2016 WL 7324529 (M.D. Pa. Dec. 16, 2016)
- Benjamin v. Costco Wholesale Corp., 779 F. Supp. 3d 341, 342 (E.D.N.Y. 2025)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA DOMINGO BEATO-ESTRELLA,: CIVIL ACTION NO. 3:26-CV-245
Petitioner: (Judge Neary) v.: M. ARVIZA,1: Respondent: MEMORANDUM Petitioner Domingo Beato-Estrella, proceeding pro se, filed a petition (Doc. 1) for a writ of habeas corpus seeking the removal of an immigration detainer placed upon him by the U.S. Immigration and Customs Enforcement ("ICE").

(Doc. 2 at 3). He argues this detainer deprives him of eligibility for earned time credits, meaningful consideration for Residential Reentry Center placement, and a potential transfer to community custody. (Id.). A federal prisoner can bring a habeas petition when he is challenging "the execution of his sentence." Cardona v. Bledsoe, 681 F.3d 533, 535 (3d Cir.

2012) (quoting Woodall v. Fed. Bureau of Prisons, 432 F.3d 235, 241 (3d Cir. 2005)). To challenge the execution of a sentence, a prisoner must show the Bureau of Prisons ("BOP") is taking some action that is "inconsistent with a command or recommendation in the sentencing judgment." Id. at

537. 1 Though his petition named G. Swaney as the respondent, counsel has clarified M. Arviza has recently transferred to become the warden of the facility housing Beato-Estrella.

(Doc. 6 at 1 n.1). As an initial matter, Beato-Estrella fails to mention his initial judgment at all, let alone point to a specific command or recommendation the BOP is failing to carry out. Moreover, none of the harms Beato-Estrella complains about can give rise to a habeas action at this time.

As pointed out by Warden Arviza, Beato-Estrella is ineligible for good-time credits, a fact he does not deny. (See Doc. 7) (Beato-Estrella's reply where he does not contest his ineligibility for good-time credits). See also, 18 U.S.C. § 3632(d)(4)(D)(ixvi) (excluding people convicted of distributing fentanyl from earning good-time credits).

As for his consideration for placement to a Residential Reentry Center or community custody, no decision has been made yet, nor could one be. A prisoner is only eligible for placement in a residential reentry center or community corrections facility for up to the final year of his term of imprisonment. 18 U.S.C. § 3624(c)(1). Beato-Estrella still has over a decade left to serve, (Doc.

6-3 at ECF 3), so this claim is premature. Thus, no part of the execution of Beato-Estrella's sentence has been contrary to law at this point, and there is nothing for this court to review. The final aspect of Beato-Estrella's filings that warrants further consideration is the caselaw on which he relies. Addressing the least troubling case first, Beato-Estrella cites *Galarza v. Szalczyk*, 745 F.3d 634 (3d Cir.

2014). While this is, indeed, a real case, it does not support Beato-Estrella's position. *Galarza* held that ICE detainers are requests to state officials, and these officials cannot simply detain people without doing any further research as to whether a person should be detained. *Id.* at 640.

In this case, there is no question that Beato-Estrella should be detained; he committed a crime. So, *Galarza* does not assist in advancing Beato-Estrella's position. The other cases Beato-Estrella cites are more troubling. He purports to cite *Santos v. Warden Allenwood FCI*, No. 1:17-CV-02116, 2018 WL 1178251 (M.D. Pa. Mar. 6, 2018), *Rodriguez v. Ebbert*, No. 3:14-CV-02404, 2015 WL 1810315 (M.D.

Pa. Apr. 21, 2015), and *Cruz v. United States*, No. 1:16-CV-01034, 2016 WL 8732312 (M.D. Pa. Dec.16, 2016) in support of his argument. (Doc. 2 at 3). The problem is none of these cases appear to exist. Using the West Law reporter numbers, the corresponding cases are *Certain Underwriters at Lloyd's, London v. Pettit*, No. C17- 259RSM, 2018 WL 1178251 (W.D. Wash. Mar.

6, 2018) (involving the Oil Pollution Act), *D.S. v. Dep't of Child. & Fams.*, 164 So. 3d 29 (Fla. Dist. Ct. App. 2015) (involving a question of parental rights under Florida law), and *Black Water Mgmt., LLC v. Sprenkle*, No. 3:15CV365, 2016 WL 8732312 (E.D. Va. Sept. 30, 2016), *aff'd*, 691 F. App'x 715 (4th Cir. 2017) (involving a question of diversity jurisdiction).

None of these cases are even in the same subject matter as the present dispute. Using the docket numbers of from this court fares no better. Under that method, the correct cases are *Firestone v. Rockovich*, No. 1:17-CV-2116, 2018 WL 347728 (M.D. Pa. Jan. 10, 2018) (involving a state prisoner suit for deprivation of property), *Fagal v. Marywood Univ.*, No. 3:14-CV-02404, 2018 WL 1993790 (M.D.

Pa. Apr. 27, 2018), *aff'd*, 786 F. App'x 353 (3d Cir. 2019) (involving breach of contract), and *Drake v. Warden of Allenwood Low*, No. 1:16-CV-01034, 2016 WL 7324529 (M.D. Pa. Dec. 16, 2016) (involving a habeas challenging attacking the conviction itself, not the execution of the sentence). These cases are similarly irrelevant to the present dispute. Beato-Estrella is cautioned that not all resources are created equal.

For example, AI programs have been known to hallucinate, or create fake cases, in response to a user's query. *Benjamin v. Costco Wholesale Corp.*, 779 F. Supp. 3d 341, 342 (E.D.N.Y. 2025). The court understands legal research is difficult for anyone, especially when considering the constraints of doing so while incarcerated. Still, even though the court affords latitude to parties who are pro se, they must still ensure to follow the rules of the court and cite to actual law.

In any event, it is clear the court does not have jurisdiction over Beato- Estrella's current petition. He has not pointed to any aspect of his original judgment being ignored by the BOP. Nor is he presently eligible for any program to which an ICE detainer is depriving access.

Therefore, this matter will be dismissed without prejudice for lack of subject matter jurisdiction.
/S/ KELI M. NEARY Keli M. Neary United States District Judge Middle District of Pennsylvania
March 16th, 2026