

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA

Louis Goldenberg v. Warden Heuett

Goldenberg v. Heuett · No. 25-cv-23399-BLOOM · Decided December 30, 2025

SUMMARY

The United States District Court for the Southern District of Florida denied without prejudice Louis Goldenberg’s petition for habeas relief under 28 U.S.C. § 2241. The court held that Goldenberg failed to exhaust the Bureau of Prisons’ administrative-remedy process before challenging the date on which he became eligible to earn First Step Act Earned Time Credits, and rejected his argument that exhaustion would be futile.

CASE DETAILS

COURT	United States District Court for the Southern District of Florida
JURISDICTION	United States District Court for the Southern District of Florida
DECIDED	December 30, 2025
DOCKET	25-cv-23399-BLOOM
DISPOSITION	dismissed
PROCEDURAL POSTURE	Federal prisoner filed a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging the Bureau of Prisons' determination of when he became eligible to earn First Step Act Earned Time Credits. The respondent asserted failure to exhaust administrative remedies and defended the BOP's merits determination. The court denied the petition without prejudice for failure to exhaust.
STANDARD OF REVIEW	The court applied the two-step exhaustion framework from Turner v. Burnside. Because the parties' exhaustion allegations did not conflict and Goldenberg conceded nonexhaustion, the court resolved the issue at Turner's first step.
PRECEDENTIAL VALUE	Nonprecedential district court order; precedential status unknown in the source metadata.

TOPICS

- federal habeas corpus
- exhaustion of remedies
- post-conviction relief
- statutory interpretation

PRACTICE AREAS

Federal habeas corpus

Post-conviction relief

Federal prisoners

Bureau of Prisons administrative remedies

First Step Act Earned Time Credits

QUESTIONS PRESENTED

1. Whether the § 2241 petition had to be denied because Goldenberg failed to complete the Bureau of Prisons' administrative remedy process before filing.
2. Whether alleged futility or the asserted statutory-interpretation nature of the First Step Act credit issue excused exhaustion.

HOLDINGS

1. The petition must be denied without prejudice because Goldenberg conceded that he had not exhausted the BOP's administrative remedy process and did not appeal the Warden's denial to the Regional Director.
2. Goldenberg did not establish an exception to exhaustion based on futility or the asserted statutory-interpretation nature of his claim.

KEY QUOTATIONS

“an action brought pursuant to 28 U.S.C. § 2241 is the proper vehicle to challenge the execution of a sentence, rather than the validity of the sentence itself.” (II)

“exceptions to the exhaustion requirement apply only in ‘extraordinary circumstances,’ and “the petitioner ‘bears the burden of demonstrating the futility of administrative review.’” (III)

FACTUAL BACKGROUND

Goldenberg was sentenced to 120 months' imprisonment on January 27, 2025, and was committed to BOP custody that day. He arrived at FCI Miami on April 10, 2025. He contended that he became eligible to earn First Step Act Earned Time Credits on January 27, while the respondent contended that eligibility began when he arrived at FCI Miami. Goldenberg pursued an informal complaint and a BP-9 request, but after the Warden denied the request he did not appeal to the Regional Director or complete the remaining administrative steps.

PROCEDURAL HISTORY

Goldenberg was sentenced in the District of New Jersey and committed to Bureau of Prisons custody. He filed this § 2241 petition in the Southern District of Florida after the BOP determined that his eligibility to earn First Step Act credits began when he arrived at his designated facility rather than when he was committed to BOP custody. Goldenberg conceded that he had not completed the BOP administrative remedy process; he had filed an informal complaint and a BP-9 request, which the Warden denied, but he did not appeal to the Regional Director. The court denied the petition without prejudice and closed the case.

DISPOSITION

dismissed

CASES CITED

- United States v. Kinsey, 393 F. App'x 663, 664 (11th Cir. 2010)
- Antonelli v. Warden, U.S.P. Atlanta, 542 F.3d 1348, 1352 (11th Cir. 2008)
- Blankenship v. Hall, 542 F.3d 1253, 1270 (11th Cir. 2008)
- Santiago-Lugo v. Warden, 785 F.3d 467, 475 (11th Cir. 2015)
- Turner v. Burnside, 541 F.3d 1077, 1082 (11th Cir. 2008)
- Blevins v. FCI Hazelton Warden, 819 F. App'x 853, 854, 856-57 (11th Cir. 2020)
- Krist v. Eichenlaub, 386 F. App'x 920, 923 (11th Cir. 2010)
- Davis v. Warden, FCC Coleman-USP I, 661 F. App'x 561, 562-63 (11th Cir. 2016)
- Tankersley v. Fisher, No. 08-CV-382-MCR/EMT, 2008 WL 4371797, at *3 (N.D. Fla. Sept. 22, 2008)
- Carrera v. United States, No. 25-CV-60045-RAR, 2025 WL 1233979 (S.D. Fla. Apr. 29, 2025)
- McGee v. Warden, FDC Miami, 487 F. App'x 516, 518 (11th Cir. 2012)
- Moore v. Colon, No. 20-22032-CV, 2020 WL 5868179, at *4 (S.D. Fla. July 27, 2020), report and recommendation adopted, No. 20-22032-CIV, 2020 WL 5848687 (S.D. Fla. Sept. 30, 2020)
- Jaimes v. United States, 168 F. App'x 356, 359 (11th Cir. 2006)
- Fuller v. Rich, 11 F.3d 61, 62 (5th Cir. 1994)
- Vasquez v. Strada, 684 F.3d 431, 433-34 (3d Cir. 2012)