

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Patrick McNulty v. Warden of FCI-Schuylkill

McNulty · No. 3:26-cv-189 · Decided March 20, 2026

SUMMARY

The court dismissed Patrick McNulty’s petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging the Bureau of Prisons’ denial of early-release eligibility following completion of the Residential Drug Abuse Treatment Program. The court held that McNulty failed to exhaust available administrative remedies and found no applicable exception. It alternatively concluded that his firearm-related offense characteristics disqualified him from the RDAP early-release incentive under 28 C.F.R. § 550.55 and *Lopez v. Davis*.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Robert D. Mariani
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	March 20, 2026
DOCKET	3:26-cv-189
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging the Bureau of Prisons' denial of eligibility for an early-release sentence reduction following completion of the Residential Drug Abuse Treatment Program.
STANDARD OF REVIEW	The court applied the exhaustion requirement ordinarily applicable to § 2241 petitions and reviewed the undisputed administrative-record materials concerning McNulty's exhaustion and RDAP eligibility.
PRECEDENTIAL VALUE	Unknown; memorandum opinion from a federal district court with no reporter citation
PARTIES	Patrick McNulty v. Warden of FCI-Schuylkill

TOPICS

- federal habeas corpus
- exhaustion of remedies
- sentence modification
- administrative law
- conspiracy

PRACTICE AREAS

Federal habeas corpus

Prisoner litigation

Administrative exhaustion

Federal sentencing and sentence reduction

QUESTIONS PRESENTED

1. Whether McNulty's § 2241 petition should be dismissed for failure to exhaust the Bureau of Prisons' administrative-remedy process.
2. Whether McNulty was entitled to habeas relief from the Bureau of Prisons' determination that his firearm-related conviction and weapons enhancement made him ineligible for the RDAP early-release incentive.

HOLDINGS

1. A federal prisoner ordinarily must exhaust available Bureau of Prisons administrative remedies before seeking habeas relief under § 2241, and McNulty's failure to pursue any administrative remedy required dismissal because no exception to exhaustion applied.
2. McNulty was not entitled to habeas relief because the Bureau of Prisons may categorically deny the RDAP early-release incentive to a prisoner whose felony involved carrying, possessing, or using a firearm or other dangerous weapon, and the record established that McNulty's offense fell within that category.

KEY QUOTATIONS

"federal prisoners are ordinarily required to exhaust their administrative remedies before petitioning for a writ of habeas corpus pursuant to [Section] 2241." (Discussion Part II.A)

"The BOP's management of RDAP is governed by 18 U.S.C. § 3621." (Discussion Part II.B)

"For the foregoing reasons, the Court will dismiss the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241." (Conclusion)

FACTUAL BACKGROUND

McNulty is serving a 52-month federal sentence imposed by the Eastern District of Virginia for conspiracy to distribute methamphetamine. The Bureau of Prisons determined that his conviction involved a firearm or other dangerous weapon and that his presentence report included a two-level weapons enhancement adopted at sentencing, rendering him ineligible for the RDAP early-release reduction. McNulty had not filed any administrative remedies while in BOP custody before filing his § 2241 petition.

PROCEDURAL HISTORY

McNulty filed a § 2241 habeas petition in the Middle District of Pennsylvania. The respondent moved to dismiss, arguing that McNulty had not exhausted the Bureau of Prisons' administrative-remedy process and, alternatively, that the court lacked jurisdiction and that McNulty was ineligible for the RDAP early-release

incentive. The court found that McNulty had filed no administrative remedies, found no applicable exception to exhaustion, and dismissed the petition.

DISPOSITION

dismissed

CASES CITED

- *Moscato v. Federal Bureau of Prisons*, 98 F.3d 757, 760-62 (3d Cir. 1996)
- *Callwood v. Enos*, 230 F.3d 627, 634 (3d Cir. 2000)
- *Coleman v. U.S. Parole Commission*, 644 F. App'x 159, 162 (3d Cir. 2016)
- *Vasquez v. Strada*, 684 F.3d 431, 433-34 (3d Cir. 2012)
- *Rose v. Lundy*, 455 U.S. 509, 516 n.7 (1982)
- *Brown v. Warden Canaan USP*, 763 F. App'x 296, 297 (3d Cir. 2019)
- *Wilson v. MVM, Inc.*, 475 F.3d 166, 175 (3d Cir. 2007)
- *D'Amico v. CBS Corp.*, 297 F.3d 287, 293 (3d Cir. 2002)
- *Beckley v. Miner*, 125 F. App'x 385, 389 (3d Cir. 2005)
- *Monteiro v. Spaulding*, 2021 WL 1721571, at *3 (M.D. Pa. Apr. 30, 2021)
- *VanOchten v. United States*, No. 1:25-CV-00133, 2025 WL 1644370, at *1 (M.D. Pa. June 9, 2025)
- *Harvey v. Warden/Superintendent of USP Canaan*, No. 21-CV-02150, 2022 WL 2292006, at *5 (M.D. Pa. June 24, 2022)
- *Lopez v. Davis*, 531 U.S. 230, 232-36 (2001)
- *Hendricks v. Jenkins*, No. 19-cv-4427, 2020 WL 5430821, at *4 (N.D. Cal. Sept. 10, 2020)

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