

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
WEST VIRGINIA, CHARLESTON DIVISION

Jeffrey Allen Irving v. William R. Sharpe, Jr. Hospital, et al.

Irving v. William R. Sharpe, Jr. Hospital · No. 2:25-00745 · Decided January 5, 2026

SUMMARY

The United States District Court for the Southern District of West Virginia construed Jeffrey Allen Irving’s pro se petition under 28 U.S.C. § 2241 as a petition under 28 U.S.C. § 2254 challenging his involuntary commitment and detention at William R. Sharpe, Jr. Hospital. The court notified Irving that he had not provided sufficient information about the state court proceedings or demonstrated exhaustion of available state remedies. The court ordered him to file an amended § 2254 petition by February 6, 2026, warning that failure to do so would result in a recommendation of dismissal without prejudice.

CASE DETAILS

COURT	United States District Court for the Southern District of West Virginia, Charleston Division
WRITING FOR THE COURT	Omar J. Aboulhosn
JURISDICTION	United States District Court for the Southern District of West Virginia, Charleston Division
DECIDED	January 5, 2026
DOCKET	2:25-00745
DISPOSITION	other
PROCEDURAL POSTURE	A pro se state pretrial detainee filed a petition under 28 U.S.C. § 2241 challenging his involuntary commitment and alleged incompetency to stand trial. The court construed the petition as arising under 28 U.S.C. § 2254 and ordered petitioner to file an amended § 2254 petition.
STANDARD OF REVIEW	The court reviewed the pleading and record to determine the proper statutory basis for federal habeas review and whether petitioner had shown exhaustion of available state remedies.
PRECEDENTIAL VALUE	Unknown; district-court procedural order with no reporter citation
PARTIES	Jeffrey Allen Irving v. William R. Sharpe, Jr. Hospital, et al.

TOPICS

federal habeas corpus

post-conviction relief

competency to be executed

pleadings

civil procedure

PRACTICE AREAS

Federal habeas corpus

Post-conviction relief

Criminal procedure

Civil rights

QUESTIONS PRESENTED

1. Whether a petition filed under 28 U.S.C. § 2241 challenging involuntary commitment pursuant to a state-court judgment should be treated as a petition under 28 U.S.C. § 2254.
2. Whether a state prisoner seeking federal habeas relief must exhaust available state remedies before federal relief may be granted.
3. Whether petitioner was required to file an amended § 2254 petition specifying each ground for relief and the supporting facts.

HOLDINGS

1. A person involuntarily committed to a state mental-health facility pursuant to a state-court judgment may seek federal habeas relief under 28 U.S.C. § 2254; accordingly, the court construed petitioner's § 2241 petition as a § 2254 action.
2. A § 2254 applicant generally may not obtain federal habeas relief until available state remedies have been exhausted, unless there is no available state corrective process or the process is ineffective to protect the applicant's rights.
3. Petitioner was required to file an amended § 2254 petition identifying the grounds for relief and the facts supporting each ground, and failure to do so by February 6, 2026, could result in dismissal without prejudice.

KEY QUOTATIONS

“Section 2254 is not limited to cases involving convictions in criminal cases.” (at 2)

“Thus, Petitioner, who is presently involuntarily committed to a West Virginia mental health facility pursuant to West Virginia Code § 27–6A–3, may pursue habeas relief under 28 U.S.C. § 2254.” (at 2)

“Accordingly, it is hereby ORDERED that Petitioner file on or before February 6, 2026, an Amended Section 2254 Petition specifically setting forth his grounds for relief and the facts supporting each ground for relief.” (at 3)

FACTUAL BACKGROUND

Petitioner alleged that he was a pretrial detainee who had been erroneously adjudged incompetent to stand trial and unlawfully detained for more than fifteen months. He reported spending approximately thirteen months in a regional jail and four months at William R. Sharpe Hospital. He alleged violations of the Fifth, Sixth, Eighth, and Fourteenth Amendments but did not identify the state court that entered the involuntary commitment order or describe any state-court appeal or collateral proceeding.

PROCEDURAL HISTORY

On December 18, 2025, petitioner filed an application to proceed without prepayment of fees and a § 2241 habeas petition. The petition challenged an alleged state-court involuntary commitment order but did not identify the state court, the order's location, or whether petitioner had pursued state appellate or collateral remedies. The court construed the action under § 2254, notified petitioner of the exhaustion requirement and pleading requirements, and ordered an amended petition by February 6, 2026, warning that failure to comply could result in dismissal without prejudice.

DISPOSITION

other

CASES CITED

- In re Parsons, 2013 WL 3462999, at *17 (S.D.W. Va. July 9, 2013)
- Duncan v. Walker, 533 U.S. 167, 176 (2001)
- Breard v. Pruett, 134 F.3d 615, 619 (4th Cir.)
- Sell v. United States, 539 U.S. 166, 176-77 (2003)
- United States v. Martinez-Haro, 645 F.3d 1228, 1231-32 (10th Cir. 2011)
- United States v. Godinez-Ortiz, 563 F.3d 1022, 1026-28 (9th Cir. 2009)
- United States v. Magassouba, 544 F.3d 387, 399-402 (2d Cir. 2008)
- United States v. Gold, 790 F.2d 235, 237-39 (2d Cir. 1986)
- United States v. Lapi, 458 F.3d 555, 560-61 (7th Cir. 2006)
- United States v. Davis, 93 F.3d 1286, 1289 (6th Cir. 1996)
- United States v. Weissberger, 951 F.2d 392, 396 (D.C. Cir. 1991)
- State ex rel. Riley v. Rudloff, 212 W. Va. 767, 575 S.E.2d 377, 381-82 (W. Va. 2003)