

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Reymundo Jose Mendez, Jr. v. Warden, FCI-Mendota

No. 1:25-cv-00716-SKO (HC) · No. 1:25-cv-00716-SKO (HC) · Decided June 13, 2025

SUMMARY

The United States District Court for the Eastern District of California recommends dismissing without prejudice Reymundo Jose Mendez, Jr.’s 28 U.S.C. § 2241 petition because he failed to exhaust the Bureau of Prisons’ administrative-remedy process. The court also directed the Clerk to assign a district judge and set a 21-day deadline for objections to the Findings and Recommendation.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sheila K. Oberto, United States Magistrate Judge
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 13, 2025
DOCKET	1:25-cv-00716-SKO (HC)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Federal prisoner petition for a writ of habeas corpus under 28 U.S.C. § 2241; magistrate judge issued findings and recommendations recommending dismissal without prejudice for failure to exhaust administrative remedies.
STANDARD OF REVIEW	Preliminary review under Rule 4 of the Rules Governing Section 2254 Cases; a petition may be dismissed when it plainly appears from the petition and attached exhibits that the petitioner is not entitled to relief. Exhaustion determinations are reviewed under the court's discretion because the exhaustion requirement is judicially created and nonjurisdictional.
PRECEDENTIAL VALUE	Nonprecedential findings and recommendations of a federal district court magistrate judge; not a final district court judgment in the provided document.
PARTIES	Reymundo Jose Mendez, Jr. v. Warden, FCI-Mendota

TOPICS

federal habeas corpus

exhaustion of remedies

post-conviction relief

remedies

civil procedure

PRACTICE AREAS

Federal habeas corpus

Post-conviction relief

Administrative law

Civil procedure

Remedies

QUESTIONS PRESENTED

1. Whether the § 2241 petition should be dismissed because Petitioner failed to exhaust available Bureau of Prisons administrative remedies.
2. Whether the court should excuse the exhaustion requirement based on Petitioner's assertion that pursuing administrative remedies would be futile.

HOLDINGS

1. A federal prisoner challenging a circumstance of imprisonment must first exhaust available administrative remedies before seeking habeas relief under § 2241, although the requirement is judicially created rather than statutory and therefore is not jurisdictional.
2. Exhaustion should not be excused where the petitioner deliberately bypassed the administrative process and offered only a broad, unsupported assertion that the Bureau of Prisons acts arbitrarily.
3. The petition should be dismissed without prejudice for failure to exhaust administrative remedies.

KEY QUOTATIONS

“Before filing a petition for writ of habeas corpus, a federal prisoner challenging any circumstance of imprisonment must first exhaust all administrative remedies.” (at 2)

“The requirement that federal prisoners exhaust administrative remedies before filing a habeas corpus petition was judicially created; it is not a statutory requirement.” (at 2)

“The exhaustion requirement should not be excused in this case because Petitioner has deliberately bypassed the administrative scheme, and permitting the petition to go forward would only encourage further deliberate bypass of the administrative process.” (at 2)

FACTUAL BACKGROUND

Petitioner is a federal prisoner incarcerated at the Federal Correctional Institution in Mendota, California. He was sentenced on November 18, 2024, to sixty months on an unstated conviction. His § 2241 petition asserted that the Bureau of Prisons was required to transfer him to a halfway house under the Sentencing Reform Act, but he conceded that he had not pursued the Bureau's administrative-remedy process.

PROCEDURAL HISTORY

Petitioner filed the § 2241 petition in the Sacramento Division on May 19, 2025. The matter was transferred to the Fresno Division on June 12, 2025. Upon preliminary review, the magistrate judge concluded that Petitioner had not exhausted available Bureau of Prisons administrative remedies and recommended dismissal without prejudice, subject to objections and review by an assigned district judge.

DISPOSITION

dismissed

REMAND INSTRUCTIONS

No remand. The magistrate judge recommended dismissal without prejudice, directed assignment of a district judge, and provided a 21-day period for objections.

CASES CITED

- Herbst v. Cook, 260 F.3d 1039 (9th Cir. 2001)
- Martinez v. Roberts, 804 F.2d 570, 571 (9th Cir. 1986)
- Chua Han Mow v. United States, 730 F.2d 1308, 1313 (9th Cir. 1984)
- Ruviwat v. Smith, 701 F.2d 844, 845 (9th Cir. 1983)
- Brown v. Rison, 895 F.2d 533, 535 (9th Cir. 1990)
- Murillo v. Mathews, 588 F.2d 759, 762 n.8 (9th Cir. 1978)
- Laing v. Ashcroft, 370 F.3d 994, 1000 (9th Cir. 2004)
- Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)

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