

Whiteside v. Fort Dix Fed. Prison

United States District Court for the District of New Jersey

November 3, 2020, Filed

Civ. No. 20-5544 (NLH)

Reporter

2020 U.S. Dist. LEXIS 205655 *

pandemic, see ECF No. 1; and

WHEREAS, the United States opposes the petition, ECF No. 16; and

WHEREAS, on November 2, 2020, Petitioner filed a letter with the Court stating the Bureau of Prisons transferred 60 inmates from FCI Elkton to FCI Fort Dix. ECF No. 23. FCI Elkton was identified by Attorney General William Barr as being particularly hard-hit by COVID-19, Memorandum for Director of Bureau of Prisons, Apr. 3, 2020, available at <https://www.justice.gov/file/1266661/download> (last visited Nov. 2, 2020) ("April 3 Memorandum"); and

WHEREAS, Petitioner reports that the prisoners from Elkton were placed in a unit that later had 10 inmates test positive for COVID-19, ECF No. 23 at 2; and

WHEREAS, Petitioner [*2] states 4 Elkton inmates were transferred into Petitioner's unit, id.,

Therefore, IT IS on this 3rd day of November, 2020,

ORDERED that the United States is directed to respond to Petitioner's letter, ECF No. 23, within 7 days. The response shall contain the status of FCI Fort Dix's safety measures, actions taken to counteract and mitigate the spread of the coronavirus, updated number of positive cases, and the actions taken in regards to the arrivals from FCI Elkton; and it is finally

ORDERED that the Clerk shall serve a copy of this Order on Petitioner by regular U.S. mail.

/s/ Noel L. Hillman

NOEL L. HILLMAN, U.S.D.J.

At Camden, New Jersey

MEMORANDUM ORDER

HILLMAN, District Judge

WHEREAS, Petitioner Robert Edward Whiteside brings this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 asking to be released to home confinement due to the coronavirus COVID-19