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**U.S. District Court  
District of Connecticut (New Haven)  
CIVIL DOCKET FOR CASE #: 3:23-cv-01557-MPS**

Akwuba v. Stover  
Assigned to: Judge Michael P Shea  
Cause: 28:2241 Petition for Writ of Habeas Corpus (federal)

Date Filed: 11/29/2023  
Date Terminated: 05/27/2025  
Jury Demand: None  
Nature of Suit: 530 Habeas Corpus  
(General)  
Jurisdiction: U.S. Government Defendant

**Petitioner**

**Lilian Akwuba**

represented by **Lilian Akwuba**  
#17368-002  
DANBURY FCI  
33 1/2 Pembroke Rd, ROUTE 37  
DANBURY, CT 06811  
PRO SE

V.

**Respondent**

**Rick Stover**

represented by **Eric Benjamin Miller**  
U. S. Attorney's Office-CT  
157 Church Street  
24th Floor  
New Haven, CT 06519  
203-821-3700  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Nathaniel Michael Putnam**  
Yankwitt LLP  
140 Grand St  
Suite 705  
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978-460-2130  
Email: nathaniel.putnam@usdoj.gov  
*TERMINATED: 05/15/2025*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
11/29/2023	<a href="#">1</a>	PETITION for Writ of Habeas Corpus, filed by Lilian Akwuba. (Attachments: # <a href="#">1</a> envelope)(Imbriani, Susan) (Entered: 11/30/2023)
11/29/2023		\$ 5.00, receipt number 14043 (Imbriani, Susan) (Entered: 11/30/2023)
11/29/2023		Judge Robert N. Chatigny and Judge Robert A. Richardson added. (Oliver, T.) (Entered: 11/30/2023)
11/29/2023		Case Reassigned to Judge Michael P Shea. Judge Robert N. Chatigny no longer assigned to the case. (Oliver, T.) (Entered: 11/30/2023)
11/29/2023	<a href="#">2</a>	STANDING PROTECTIVE ORDER Signed by Judge Michael P Shea on 11/29/2023. (Peterson, M) (Entered: 12/01/2023)
11/29/2023	<a href="#">3</a>	ELECTRONIC FILING ORDER FOR COUNSEL - PLEASE ENSURE COMPLIANCE WITH COURTESY COPY REQUIREMENTS IN THIS ORDER Signed by Judge Michael P Shea on 11/29/2023. (Peterson, M) (Entered: 12/01/2023)
12/01/2023	4	ORDER TO SHOW CAUSE. Petitioner filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. <i>See</i> ECF No. 1. It hereby is ORDERED that Respondent file a response on or before January 26, 2024, why the relief prayed for in the petition for writ of habeas corpus should not be granted. The Court respectfully requests the Clerk of Court to serve a copy of this order, the initial petition, and all attachments on Respondent's representative, Assistant U.S. Attorney Michelle McConaghy, by email on or before December 11, 2023.  Signed by Judge Michael P Shea on 12/1/2023.(Bassali, David) (Entered: 12/01/2023)
12/01/2023		Set Deadlines: Show Cause Response due by 1/26/2024 (Johnson, D.) (Entered: 12/04/2023)
01/26/2024	<a href="#">5</a>	NOTICE of Appearance by Nathaniel Michael Putnam on behalf of Rick Stover <i>in this official capacity as the Warden of FCI Danbury</i> (Putnam, Nathaniel) (Entered: 01/26/2024)
01/26/2024	<a href="#">6</a>	MOTION to Dismiss <i>and Response to the Court's Show Cause Order</i> by Rick Stover.Responses due by 2/16/2024 (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3, # <a href="#">4</a> Exhibit 4, # <a href="#">5</a> Exhibit 5, # <a href="#">6</a> Exhibit 6, # <a href="#">7</a> Exhibit 7)(Putnam, Nathaniel) (Entered: 01/26/2024)
01/26/2024	<a href="#">7</a>	CERTIFICATE OF SERVICE by Rick Stover <i>on Self-Represented Pro Se Litigant</i> (Putnam, Nathaniel) (Entered: 01/26/2024)
02/12/2024	<a href="#">8</a>	RESPONSE re <a href="#">6</a> MOTION to Dismiss <i>and Response to the Court's Show Cause Order</i> filed by Lilian Akwuba. (Peterson, M) (Entered: 02/13/2024)
02/26/2024	<a href="#">9</a>	REPLY to Response to <a href="#">6</a> MOTION to Dismiss <i>and Response to the Court's Show Cause Order</i> filed by Rick Stover. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C) (Putnam, Nathaniel) (Entered: 02/26/2024)
03/12/2024	<a href="#">10</a>	REPLY to Response to <a href="#">6</a> MOTION to Dismiss <i>and Response to the Court's Show Cause Order</i> filed by Lilian Akwuba. (Attachments: # <a href="#">1</a> Envelope) (Peterson, M) (Entered: 03/12/2024)

		03/12/2024)
06/17/2024	11	<p>ORDER DENYING motion to dismiss [ECF No. 6] without prejudice. Petitioner filed this pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 to challenge the Bureau of Prisons' ("BOP") failure to credit her First Step Act ("FSA") time credits that she assertedly earned during (1) her Marshal's Service custody, and (2) her six day transport to FCI Danbury. Pet. at 13. Respondent seeks dismissal of this action on the basis of Petitioner 's lack of eligibility to earn FSA credits while in the Marshal's Service custody and in transit between facilities, Resp't Mem. at 8-9, ECF no 6, and her failure to show that that she participated in any actual EBRRs or PAs. Resp't Reply, at 1-2, ECF No. 9.</p> <p>At this juncture, the Court cannot resolve Respondent's request for dismissal of Petitioner's request for Section 2241 relief. District courts are increasingly questioning the BOP's interpretation of the FSA statutes regarding prisoners' ability to earn FSA credits. <i>See Borker v. Bowers</i>, No. CV 24-10045-LTS, 2024 WL 2186742, at *2 n.2 (D. Mass. May 15, 2024); <i>see also Mohammed v. Stover</i>, No. 3:23-CV-757 (SVN), 2024 WL 1769307, at *2 (D. Conn. Apr. 23, 2024) (citing cases). Earlier this year, the Supreme Court heard argument in <i>Loper Bright Enterprises v. Raimondo</i>, 22-451, a case that may alter the applicable standards for judicial deference to agency interpretation. In addition, Petitioner's opposition brief raises a concern about whether she was properly recommended appropriate EBRRs and PAs by BOP staff at FCI Aliceville. Accordingly, Respondent may refile its response seeking dismissal of this action after the Supreme Court issues its decision in <i>Loper</i>. Respondent's brief should address both the <i>Loper</i> decision and Petitioner's claim regarding the recommendations of her Unit Team at FCI Aliceville. After the Supreme Court issues its decision in <i>Loper</i>, the Court will issue a scheduling order for further briefing relevant to this Petition.</p> <p>Signed by Judge Michael P Shea on 6/17/2024. (Bassali, D) (Entered: 06/17/2024)</p>
07/01/2024	12	<p>ORDER. Respondent is instructed to file a response to show cause on or before <b>August 25, 2024</b> why the pending Petition for relief under 28 U.S.C. § 2241 should not be granted. Respondent's brief should address the Supreme Court's recent decision in <i>Loper Bright Enterprises v. Raimondo</i>, 22-451, and Petitioner's claim regarding the recommendations of her Unit Team at FCI Aliceville.</p> <p>Signed by Judge Michael P. Shea on 7/1/2024. (Bender, S) (Entered: 07/01/2024)</p>
08/19/2024	<a href="#">13</a>	<p>MOTION for Extension of Time until August 30, 2024 for Respondent to Show Cause in Response to ECF No. 12 by Rick Stover. (Putnam, Nathaniel) (Entered: 08/19/2024)</p>
08/20/2024	14	<p>ORDER: Respondent's motion for extension of time is GRANTED for good cause shown. Respondent's response to this Court's show cause order must be filed on or before <b>August 30, 2024</b>.</p> <p>Signed by Judge Michael P. Shea on 8/20/2024. (Bender, Sarah) (Entered: 08/20/2024)</p>
08/20/2024		<p>Set Deadlines: Show Cause Response due by 8/30/2024. (Sichanh, C) (Entered: 08/21/2024)</p>
08/29/2024	<a href="#">15</a>	<p>RESPONSE TO 12 Order, by Rick Stover filed by Rick Stover. (Attachments: # <a href="#">1</a> Ex. 1, # <a href="#">2</a> Ex. 2, # <a href="#">3</a> Ex. 3, # <a href="#">4</a> Ex. 4, # <a href="#">5</a> Ex. 5, # <a href="#">6</a> Ex. 6, # <a href="#">7</a> Ex. 7)(Putnam, Nathaniel)</p>

		(Entered: 08/29/2024)
09/12/2024	<a href="#">16</a>	RESPONSE TO 12 Order, by Lilian Akwuba filed by Lilian Akwuba. (Attachments: # <a href="#">1</a> Envelope) (Peterson, M) (Entered: 09/12/2024)
05/13/2025	<a href="#">17</a>	NOTICE of Appearance by Eric Benjamin Miller on behalf of Rick Stover (Miller, Eric) (Entered: 05/13/2025)
05/13/2025	<a href="#">18</a>	MOTION for Nathaniel M. Putnam to Withdraw as Attorney by Rick Stover. (Putnam, Nathaniel) (Entered: 05/13/2025)
05/15/2025	19	ORDER granting <a href="#">18</a> Motion to Withdraw as Attorney. Attorney Nathaniel Michael Putnam terminated. Signed by Judge Michael P Shea on 5/15/2025. (Bender, S) (Entered: 05/15/2025)
05/16/2025	20	ORDER. The Court schedules a hearing regarding the pending Petition for relief under 28 U.S.C. § 2241, to be held by videoconference, on <b>May 27, 2025 at 10:00 AM</b> .  Signed by Judge Michael P Shea on 5/16/2025. (Bender, S) (Entered: 05/16/2025)
05/20/2025	21	NOTICE regarding hearing via Zoom: The Hearing regarding the pending Petition for relief under 28 U.S.C. § 2241 scheduled for 5/27/2025 at 10:00AM will be conducted via Zoom.  Call-in and Public Access Number: 1-646-828-7666  Meeting ID: 160 300 3424  Meeting Password: 757815  <i>The Court will distribute the video link to the parties via email.</i>  Please note: <b>Members of the public are permitted to join this hearing by audio only using the public access number above. Video participation is permitted by the parties and counsel only.</b> This is in accordance with the remote access policies of the Judicial Conference of the United States, which governs the practices of the federal courts. All persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, screenshots, streaming, and rebroadcasting in any form, of court proceedings. Violation of these prohibitions may result in sanctions, including restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the court.  NOTICE OF E-FILED CALENDAR: THIS IS THE ONLY NOTICE COUNSEL/THE PARTIES WILL RECEIVE. Hearing regarding the pending Petition for relief under 28 U.S.C. § 2241 is set for 5/27/2025 at 10:00 AM in Remote Setting before Judge Michael P Shea. (Sichanh, C) (Entered: 05/20/2025)
05/27/2025	22	ORDER. For the reasons stated at the conclusion of oral argument today, the Court GRANTED Ms. Akwuba's § 2241 petition to the following extent: The warden shall recalculate Ms. Akwuba's time credits by adding the 200 days during which she was in the U.S. Marshals Service's custody. If, after the warden does so, it appears that Ms. Akwuba is entitled to immediate release, then the Bureau of Prisons shall release her immediately. The warden shall comply with this order within <b>14 days</b> by filing an

		affidavit or declaration showing that he has followed these instructions. The Clerk is respectfully directed to close this case.  Signed by Judge Michael P Shea on 5/27/2025. (Bender, S) (Entered: 05/27/2025)
05/27/2025	<a href="#">23</a>	Minute Entry for proceedings held before Judge Michael P Shea: Hearing re Petition for relief under 28 U.S.C. § 2241 held on 5/27/2025. Total Time: 1 hour and 30 minutes(Court Reporter: Julie Monette.) (Sichanh, C) (Entered: 05/27/2025)
05/27/2025		JUDICIAL PROCEEDINGS SURVEY - FOR COUNSEL ONLY: The following link to the confidential survey requires you to log into CM/ECF for SECURITY purposes. Once in CM/ECF you will be prompted for the case number. Although you are receiving this survey through CM/ECF, it is hosted on an independent website called SurveyMonkey. Once in SurveyMonkey, the survey is located in a secure account. The survey is not docketed and it is not sent directly to the judge. To ensure anonymity, completed surveys are held up to 90 days before they are sent to the judge for review. We hope you will take this opportunity to participate, please click on this link:  <a href="https://ecf.ctd.uscourts.gov/cgi-bin/Dispatch.pl?survey">https://ecf.ctd.uscourts.gov/cgi-bin/Dispatch.pl?survey</a> (Sichanh, C) (Entered: 05/27/2025)

<b>PACER Service Center</b>			
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