

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

LUIS RAMIREZ

PETITIONER

V.

CIVIL ACTION NO. 3:25-CV-483-KHJ-MTP

WARDEN CHILDRESS

RESPONDENT

ORDER

Before the Court is Magistrate Judge Michael T. Parker’s [10] Report and Recommendation. R. & R. [10]. The [10] Report recommends dismissing without prejudice pro se Petitioner Luis Ramirez’s (“Ramirez”) [1] Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241. *Id.* at 4.

Ramirez is an inmate at the Federal Correctional Complex in Yazoo City, Mississippi. Pet. [1] at 1. He contends the First Step Act entitles him to time credit which the Bureau of Prisons refuses to apply to his sentence. [1] at 1–2. Respondent Warden Childress opposes the relief because Ramirez failed to exhaust his administrative remedies, among other reasons. *See* Resp. [8]. The [10] Report recommends dismissing the [1] Petition without prejudice because Ramirez failed to exhaust his administrative remedies or identify any extraordinary circumstances warranting waiver of the exhaustion requirement. [10] at 4.

Written objections to the [10] Report were due by February 23, 2026. *See id.* at 4–5. The [10] Report notified the parties that failure to file written objections by

that date would bar further appeal in accordance with 28 U.S.C. § 636. *See id.* at 5. No party objected to the [10] Report, and the time to do so has passed.

The Court must review de novo a magistrate judge's report only when a party objects to the report within 14 days after being served with a copy. 28 U.S.C. § 636(b)(1). When no party timely objects to the report, the Court applies "the 'clearly erroneous, abuse of discretion and contrary to law' standard of review." *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam).

Finding the [10] Report neither clearly erroneous, contrary to law, nor an abuse of discretion, the Court ADOPTS the [10] Report and DISMISSES this case without prejudice. In doing so, the Court has considered all arguments raised. Those arguments not addressed would not have altered the Court's decision. The Court will enter a separate final judgment consistent with this Order.

SO ORDERED, this 2nd day of March, 2026.

s/ Kristi H. Johnson  
UNITED STATES DISTRICT JUDGE