

CV 526 - 247

MOTION TO GRANT PETITION FOR WRIT OF HABEAS CORPUS
PURSUANT TO 28 U.S.C. § 2241

FILED
U.S. DISTRICT COURT-
BRUNSWICK DIV.

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

CLERK C. Robinson
SO. DIST. OF GA.

JAMES EDWARD WILLIAMS III,
Petitioner,
v. Civil Action No. _____
WARDEN, FCI JESUP,

Respondent.

MOTION TO GRANT PETITION FOR WRIT OF HABEAS CORPUS
AND FOR IMMEDIATE SENTENCE CREDIT

COMES NOW Petitioner, James Edward Williams III, proceeding pro se, and respectfully moves this Court for an Order granting his Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, and states as follows:

Petitioner challenges the execution and computation of his federal sentence.

Petitioner was lawfully released from custody on November 12, 2023, due solely to governmental error, with no detainer, warrant, or hold in place.

Petitioner remained at liberty for approximately 20 months, during which he:

Lived openly and publicly;

Was under active state probation supervision in Rockdale County, Georgia;

Maintained continuous contact with probation authorities;

Checked in monthly via probation hotline;

Submitted to home visits;

Paid restitution monthly;

Was stopped by law enforcement with no warrant appearing;

Never absconded, concealed himself, or violated supervision.

The interruption of Petitioner's federal sentence was caused solely by the government's failure to timely execute its own judgment.

The Bureau of Prisons now refuses to credit this time, unlawfully extending Petitioner's sentence beyond that imposed by the sentencing court.

Longstanding precedent holds that when release is caused by governmental negligence, the sentence continues to run during the period of liberty.

Petitioner has exhausted administrative remedies, or exhaustion should be excused as

futile.

WHEREFORE, Petitioner respectfully requests that this Court:

- A. Grant the Petition for Writ of Habeas Corpus;
- B. Order the Bureau of Prisons to credit the full 20-month period of liberty;
- C. Order immediate recalculation of Petitioner's sentence;
- D. Order Petitioner's immediate release if warranted; and
- E. Grant any other relief this Court deems just and proper.

Respectfully submitted,

James Edward Williams III

Reg. No. 

FCI Jesup

Jesup, Georgia 31599

