

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

CHIBUNDU ANUEBUNWA,	:	Case No. 3:25-CV-300 (SVN)
<i>Petitioner,</i>	:	
	:	
v.	:	
	:	
WARDEN, FCI Danbury,	:	
<i>Respondent.</i>	:	November 7, 2025

ORDER DENYING PETITIONER'S MOTION FOR RECONSIDERATION

Petitioner Chibundu Anuebunwa has filed what the Court construes as a motion for reconsideration of its order denying in part and granting in part his petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. *See* Order, ECF No. 16; Pet'r Supp. Resp., ECF No. 18. When Petitioner filed his § 2241 Petition on February 27, 2025, he was incarcerated at the Federal Correctional Institution in Danbury, Connecticut ("FCI Danbury"), in the custody of the Bureau of Prisons ("BOP"), but he was transferred to a Residential Reentry Center ("RRC") on May 20, 2025.¹ His current projected release date is November 22, 2025, and his sentence does not include a term of post-release supervision.²

Petitioner seeks to have Respondent credit him under the First Step Act ("FSA") for six courses he took between the date of his sentencing and the date of his arrival at FCI Danbury to reduce the remainder of his time in BOP custody at the RRC. *See id.*

For the reasons discussed below, the Court **DENIES** Petitioner's motion for

¹ The Court may "take judicial notice of relevant matters of public record." *Giraldo v. Kessler*, 694 F.3d 161, 164 (2d Cir. 2012). A search on the publicly available BOP website under the inmate search function using Petitioner's name shows that Petitioner is currently assigned to the Residential Reentry Management New York Field Office, and his release date is November 22, 2025. *See* BOP Inmate Locator, <https://www.bop.gov/inmateloc/> (last visited November 7, 2025); *see also* Pet., ECF No. 1 at 1; Notice of Pet'r Transfer, ECF No. 17 ("Petitioner's transfer was completed on Tuesday, May 20, 2025. . .").

² *See* Moissonnier Decl., ECF No. 12-1 at ¶ 7; *see also* Judgment, *United States v. Anuebunwa*, No. 16-CR-575 (S.D.N.Y. Oct. 2, 2023), ECF No. 114.

reconsideration.

I. PROCEDURAL BACKGROUND

On October 2, 2023, Petitioner was sentenced to a 66-month term of imprisonment with no term of supervised release. Moissonnier Decl., ECF No. 10-1, ¶ 4.³ He was held in post-sentencing detention at the Metropolitan Detention Center in Brooklyn, New York (“MDC Brooklyn”), ECF No. 20 at 3, and committed to FCI Danbury on December 11, 2023, *see* ECF No. 10-1 at 4.

On February 27, 2025, Petitioner filed his petition for writ of habeas corpus under § 2241 on two grounds: (1) “improper withholding” of FSA credits for the period between his sentencing date and his arrival at FCI Danbury; and (2) improper failure to be transferred to prerelease custody, given his FSA credits calculation and eligibility for transfer. *See* Pet., ECF No. 1 at 2. After briefing by the parties,⁴ on May 15, 2025, the Court denied in part the § 2241 petition because Petitioner had neither alleged nor provided any evidence that he “successfully complete[d] evidence-based recidivism reduction programming or productive activities” between the date of his sentencing and the date of his arrival at FCI Danbury. ECF No. 16 (alteration in original). The petition was granted in part because Respondent had conceded that Petitioner had accrued sufficient FSA credits and was otherwise eligible under the FSA for immediate transfer to prerelease custody. *Id.*

Two days after Petitioner was transferred to RRC, he filed what the Court construes as a

³ *See also* Judgment, *United States v. Anuebunwa*, No. 16-cr-575 (S.D.N.Y. Oct. 2, 2023), ECF No. 114.

⁴ Respondent initially argued that Petitioner was statutorily ineligible for the application of FSA credits to his sentence because he was subject to a final Notice and Order of Expedited Removal, *see* Resp. to Order to Show Cause, ECF No. 10 at 1, but Respondent subsequently advised the Court that the U.S. Immigrations and Customs Enforcement had cancelled Petitioner’s Order of Expedited Removal, and Petitioner was immediately eligible to apply his existing 225 days of FSA credits towards RRC Placement, *see* Suppl. Resp. to Order to Show Cause, ECF No. 12 at 4.

motion for reconsideration, and provided a list of six courses he had completed while at MDC Brooklyn. *See* ECF No. 18; *see also* Education Transcript, Ex. 1, ECF No. 18-1 at 3. He argues that these six courses should count toward his FSA credits, “as that corrected total will affect his total time spent in BOP custody at the RRC-halfway house.” ECF No. 18 at 3. The Court ordered Respondent to respond to this motion. Order, ECF No. 19.

Respondent opposes Petitioner’s motion for reconsideration and avers that these six courses “do not qualify for credit awards under the FSA.” ECF No. 20 at 4–5. Respondent also avers that the FSA does not authorize the application of earned time credits to the remainder of Petitioner’s term because Petitioner has already moved into RRC placement and has not been sentenced to post-release supervision. *Id.* at 1–3. In Petitioner’s reply, he contends that: (1) the BOP misinterprets the FSA’s application of time credits; (2) the courses completed at MDC qualify under FSA standards; and (3) the fact that he was not sentenced to a term of supervised release should not preclude application of earned credits. *See* Pet’r Reply, ECF No. 26.

II. LEGAL STANDARD

The Court entered its order granting in part and denying in part the § 2241 petition on May 15, 2025, and Petitioner filed his motion for reconsideration on May 22, 2025, seven days later. Petitioner did not specify under which procedural grounds he filed his motion for reconsideration. Because Petitioner is a *pro se* litigant and seeks reconsideration of the Court’s order within the required time frame under District of Connecticut Local Rule 7(c), the Court construes the motion as brought under that Rule.

Local Rule 7(c) allows the filing of motions for reconsideration, but cautions that such motions “shall not be routinely filed and shall satisfy the strict standard applicable to such

motions.” D. Conn. L. Civ. R. 7(c)1. “The standard for granting [reconsideration] is strict, and reconsideration will generally be denied unless the moving party can point to controlling decisions or data that the court overlooked—matters, in other words, that might reasonably be expected to alter the conclusion reached by the court.” *Van Buskirk v. United Grp. of Cos., Inc.*, 935 F.3d 49, 54 (2d Cir. 2019); *see also* D. Conn. L. Civ. R. 7(c)1; *Cho v. Blackberry Ltd.*, 991 F.3d 155, 170 (2d Cir. 2021) (cleaned up) (reconsideration warranted “only when the party identifies an intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice”). A motion for reconsideration is “not a vehicle for relitigating old issues, presenting the case under new theories, securing a rehearing on the merits, or otherwise taking a second bite at the apple.” *Analytical Surveys, Inc. v. Tonga Partners, L.P.*, 684 F.3d 36, 52 (2d Cir. 2012) (citation and internal quotation marks omitted).

III. DISCUSSION

In summary, Petitioner requests that the Court recalculate and order the BOP to apply credit under the FSA for six programs he completed between October 2, 2023, the date he was sentenced, and December 11, 2023, the date he arrived at FCI Danbury. *See* ECF No. 18. He requests these credits to reduce his total time spent in BOP custody at the RRC halfway house. *See id.* Although Petitioner has presented new evidence in the form of an educational transcript⁵ demonstrating which courses he took during the relevant period, the Court concludes that BOP was not required to credit him for these programs. Thus, the Court denies Petitioner’s motion for reconsideration.

⁵ Petitioner has not explained why he failed to provide the information about these courses in his earlier filings. Because he is a *pro se* litigant, however, the Court has examined the transcript and addresses the merits of his argument.

A. Petitioner's Request for the BOP to Credit Six Courses under the FSA

The FSA allows eligible prisoners to earn time credits for completing evidence-based recidivism reduction programming (“EBRR”) or productive activities (“PAs”). 18 U.S.C. § 3632(d)(4)(A); *see also id.* §§ 3635(3), (5) (statutory definitions of “EBRR” and “PA”). The FSA authorizes the Attorney General to develop recommendations regarding EBRRs and PAs, conduct ongoing research and data analysis on such programming, and direct the BOP regarding approval of EBRRs and PAs for FSA time credits. *See* 18 U.S.C. §§ 3631(b)(2), (3); *id.* §§ 3633(a)(5)(A), (C) (“[T]he Attorney General shall ... direct the Bureau of Prisons regarding ... the addition of new effective [EBRRs] that the Attorney General finds.”). “In turn, the BOP has established a formal process for evaluating whether a program meets the criteria for being an EBRR or PA under 18 U.S.C. § 3635.” *Mohammed v. Stover*, No. 23-CV-757 (SVN), 2024 WL 5146440, at *3 (D. Conn. Dec. 17, 2024) (citing to a declaration filed by a BOP employee in that action).

Petitioner seeks credit for six programs that he completed during his post-sentencing detention at the MDC Brooklyn, before he arrived at FCI Danbury. *See* ECF No. 18. Specifically, he seeks credits for twelve-hour courses listed as Business Acumen, Time Management, Business Ethics, Developing Creativity, Soft Skills, and a ten-hour course for Commercial Driver’s License Test Prep, which he completed between October 30, 2023, and November 13, 2023. *See* ECF No. 18 at 2; ECF No. 18-1. Respondent argues that “Petitioner has not demonstrated . . . that the six MDC courses he lists qualify as FSA credit-eligible, and none of the courses appear in the BOP’s FSA Programs Guide.” ECF No. 20 at 4. Respondent has also “reviewed Petitioner’s list [of courses] with BOP counsel and Case Management staff at FCI Danbury[,] [and the] BOP has confirmed that the programs are not recognized EBRR programs or PA classes.” *Id.* at 5.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.