2019–2020 Edition
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The 2019-2020 edition offers an expanded and thorough review of the habeas corpus provisions of the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA), including numerous cases—from the Supreme Court and the circuit courts of appeals—interpreting and applying the Act. Increased attention is paid to the custody requirement, statute of limitations and tolling, retroactivity, exhaustion of state judicial remedies, procedural default, standards of review under 28 U.S.C. § 2254(d), appeals, successive petitions, actual innocence, ineffective-assistance-of-counsel claims, the death penalty, and postconviction motions filed by federal prisoners.

Other highlights of this edition include coverage of new Supreme Court cases, and major cases from the circuit courts of appeals including:

- Clearly Established Federal Law. Shoop v. Hill, a U.S. Supreme Court case deciding that, because Hill’s intellectual disability claim must be evaluated based solely on holdings of the Supreme Court that were clearly established at the time the state-court decisions were rendered, under 28 U.S.C. § 2254(d), the Sixth Circuit’s reliance on Moore v. Texas (U.S., 2017)—which was handed down much later—was plainly improper (§ 17:5).

- Conditional Writ. Jensen v. Pollard, a Seventh Circuit case dealing with a conditional grant of habeas corpus, holding that jurisdiction to assess state compliance with conditional writs is constrained by the actual remedy ordered by the court (§ 4:5).

- Retroactivity. Lester v. U.S., an Eleventh Circuit case reviewing the Teague v. Lane exceptions to retroactivity and the question whether a subset of federal prisoners classified as career offenders under the United States Sentencing Guidelines can seek resentencing on collateral review based on the void-for-vagueness doctrine explicated in Johnson v. U.S. (U.S., 2015), which invalidated the residual clause of the Armed Career Criminal Act (§ 8:2).

- Actual Innocence. Reeves v. Fayette SCI, a Third Circuit case holding that, when a petitioner asserts ineffective assistance of counsel based on counsel’s failure to
discover or present to the factfinder the very exculpatory evidence that demonstrates his actual innocence, such evidence constitutes new evidence for purposes of the Schlup v. Delo actual innocence gateway (§ 17:4).

- **Statute of Limitations.** Cases from the First and Fourth Circuits applying the interpretation of “collateral review” in Wall v. Kholi (U.S., 2011) to time-barring rules from Massachusetts and Maryland, respectively (§ 17:4).

- **Appeals.** Cases from the Fifth and Ninth Circuits addressing matters concerning the certificate of appealability—including Federal Rule of Civil Procedure 60(d)(3) and jurisdiction (§ 17:10).

For readers’ convenience, the book includes two Tables of Cases. The first one is alphabetical; the second one is by jurisdiction—listing cases separately from the U.S. Supreme Court, the circuit courts of appeals (including district courts within the circuit), state courts, and international and foreign courts.