

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Federici v. Mason

Federici · No. 1:25-CV-1383 · Decided December 19, 2025

SUMMARY

The United States District Court for the Middle District of Pennsylvania dismissed Ricky Federici’s 28 U.S.C. § 2254 habeas petition with prejudice as untimely. The court held that the one-year limitations period expired in March 2023 and that Federici’s later PCRA filing did not toll or restart the already expired period; it also denied a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Keli M. Neary
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	December 19, 2025
DOCKET	1:25-CV-1383
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought federal habeas corpus relief under 28 U.S.C. § 2254 from a Pennsylvania state conviction. The district court issued a show-cause order concerning timeliness, provided additional time to respond, and dismissed the petition with prejudice after petitioner failed to respond.
STANDARD OF REVIEW	Under Rule 4 governing § 2254 proceedings, the district court must promptly review the petition and dismiss it when it is plain from the petition that the petitioner is not entitled to relief. A petition may be dismissed sua sponte as untimely when the petitioner receives notice and an opportunity to respond on timeliness.
PRECEDENTIAL VALUE	unpublished district court memorandum; nonprecedential
PARTIES	Ricky Federici v. Ms. Mason

TOPICS

- federal habeas corpus
- statute of limitations
- post-conviction relief
- civil procedure

PRACTICE AREAS

federal habeas corpus

post-conviction relief

statute of limitations

QUESTIONS PRESENTED

1. Whether the § 2254 petition was untimely under the one-year limitations period in 28 U.S.C. § 2244(d)(1)(A).
2. Whether Federici established a basis for statutory or equitable tolling of the federal habeas limitations period.
3. Whether the filing of Federici's July 2025 PCRA petition restarted or tolled an already expired federal habeas limitations period.
4. Whether the petition should be dismissed sua sponte under Rule 4 after notice and an opportunity to respond.

HOLDINGS

1. The petition was untimely because Federici's conviction became final on March 21, 2022, and he did not file his federal habeas petition until July 28, 2025, more than two years after the one-year limitations period expired.
2. Federici did not establish equitable tolling because his allegations concerning literacy, a learning disability, ineffective assistance, a Brady violation, and a hearsay issue were conclusory and undeveloped, and he did not show diligent pursuit of his rights or an extraordinary circumstance that prevented timely filing.
3. The July 2025 PCRA petition did not revive or restart the federal habeas limitations period because statutory tolling cannot pause a limitations period that had already expired more than two years earlier.
4. The district court could dismiss the petition sua sponte under Rule 4 because untimeliness was apparent and Federici received notice and an opportunity to respond.

KEY QUOTATIONS

“The petition for writ of habeas corpus is dismissed with prejudice as untimely.”

“The filing of a PCRA petition simply pauses the limitations period for a federal habeas petition; it does not restart or reset it.”

FACTUAL BACKGROUND

Federici pleaded guilty to rape by threat of forcible compulsion and endangering the welfare of a child in Pennsylvania state court on February 17, 2022, and was sentenced the same day to five and one-half to fifteen years of imprisonment. He did not pursue a direct appeal. He filed a state PCRA petition in July 2025 and then filed this federal § 2254 petition on July 28, 2025. He alleged inability to read or write, a learning disability, ineffective assistance of counsel, a Brady violation, and a hearsay issue, but did not develop those assertions or respond to the court's timeliness show-cause order.

PROCEDURAL HISTORY

Federici pleaded guilty in the Luzerne County Court of Common Pleas on February 17, 2022, and received an aggregate sentence of five and one-half to fifteen years. He did not appeal, but filed a Pennsylvania Post-Conviction Relief Act petition on July 20, 2025. He filed this federal habeas petition on July 28, 2025. After issuing and re-mailing a show-cause order and extending the response deadline, the district court dismissed the petition as untimely and denied a certificate of appealability.

DISPOSITION

dismissed

CASES CITED

- Commonwealth v. Federici, No. CP-40-CR-0000468-2021 (Luzerne Cnty. Ct. Com. Pl. Feb. 17, 2022)
- United States v. Bendolph, 409 F.3d 155, 158 (3d Cir. 2005)
- Pace v. DiGuglielmo, 544 U.S. 408, 418 (2005)
- Johnson v. Hendrick, 314 F.3d 159, 161-62 (3d Cir. 2002)
- Slack v. McDaniel, 529 U.S. 473, 484 (2000)