

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
TEXAS, HOUSTON DIVISION

Lucas Roric Coe v. Eric Guerrero

Coe v. Guerrero · No. 4:23-CV-00020 · Decided December 3, 2025

SUMMARY

The United States District Court for the Southern District of Texas denied the respondent’s request to dismiss Lucas Roric Coe’s federal habeas corpus petition as barred by the statute of limitations. The court held that the respondent had not established that the factual predicates concerning allegedly undisclosed herpes testing results and offense reports were available to Coe earlier, and ordered the respondent to answer the claims or file a dispositive motion within 30 days.

CASE DETAILS

COURT	United States District Court for the Southern District of Texas, Houston Division
JURISDICTION	United States District Court for the Southern District of Texas, Houston Division
DECIDED	December 3, 2025
DOCKET	4:23-CV-00020
DISPOSITION	other
PROCEDURAL POSTURE	Federal habeas corpus proceeding under 28 U.S.C. § 2254. Respondent moved to dismiss the petition as barred by the statute of limitations.
STANDARD OF REVIEW	On a limitations-based motion to dismiss a federal habeas petition, the respondent bears the burden of proving that the petition is time-barred. The limitations period under AEDPA begins when the factual predicate of the claim could have been discovered through due diligence.
PRECEDENTIAL VALUE	unpublished
PARTIES	Lucas Roric Coe v. Eric Guerrero

TOPICS

- federal habeas corpus
- statute of limitations
- affirmative defenses
- post-conviction relief
- pleadings

PRACTICE AREAS

federal habeas corpus

post-conviction relief

criminal procedure

civil procedure

QUESTIONS PRESENTED

1. Whether Respondent established that Coe's federal habeas claims were barred by AEDPA's one-year statute of limitations.
2. Whether the factual predicate of Coe's claims could have been discovered through due diligence more than one year before he filed the federal habeas petition.

HOLDINGS

1. Respondent failed at that stage of the proceedings to prove that Coe's claims were barred by AEDPA's statute of limitations.

KEY QUOTATIONS

“The statute of limitations is an affirmative defense.” (at 2)

“The respondent has failed to do so at this juncture.” (at 2)

FACTUAL BACKGROUND

Coe is a Texas inmate serving a sentence of life without parole for super aggravated sexual assault of a child under six years old. Trial evidence indicated that both the alleged victim and Coe tested positive for herpes. Coe later obtained or sought testing and related records that he contended showed the alleged victim tested negative, and he also alleged that portions of an offense report and other exculpatory information had not been disclosed. The record did not establish that the relevant information was available to Coe at trial or more than one year before he filed his federal petition.

PROCEDURAL HISTORY

Coe was convicted in the 232nd Judicial District Court of Harris County, Texas, and later filed two state habeas applications based on purportedly newly discovered evidence. The Texas Court of Criminal Appeals denied relief on September 30, 2022. Coe filed this federal habeas petition on January 4, 2023. The district court denied Respondent's request to dismiss the petition as time-barred and directed Respondent to answer the claims or file a dispositive motion within 30 days.

DISPOSITION

other

CASES CITED

- Fierro v. Cockrell, 294 F.3d 674, 679 (5th Cir. 2002)
- Kiser v. Johnson, 163 F.3d 326, 328 (5th Cir.)

