

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Allen v. Schuyler

Allen · No. 24-cv-00315-RFL (PR) · Decided October 2, 2025

SUMMARY

The United States District Court for the Northern District of California denied Melvin Allen’s petition for a writ of habeas corpus under 28 U.S.C. § 2254. The court rejected claims of actual innocence, prosecutorial misconduct, ineffective assistance of counsel, failure to instruct the jury regarding spectator misconduct, and cumulative error.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Rita F. Lin
JURISDICTION	United States District Court for the Northern District of California
DECIDED	October 2, 2025
DOCKET	24-cv-00315-RFL (PR)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Federal habeas petition under 28 U.S.C. § 2254 challenging a California murder conviction and related firearm enhancement.
STANDARD OF REVIEW	Under AEDPA, relief may be granted on a claim adjudicated on the merits in state court only if the state decision was contrary to, or involved an unreasonable application of, clearly established federal law, or was based on an unreasonable determination of the facts under 28 U.S.C. § 2254(d). An unexplained state decision is reviewed independently for whether there was any reasonable basis for denying relief, but the review is not de novo. Ineffective-assistance claims are reviewed under the doubly deferential combination of Strickland and § 2254(d).
PRECEDENTIAL VALUE	unpublished_or_nonprecedential
PARTIES	Melvin Allen v. Charles Schuyler

TOPICS

federal habeas corpus

actual innocence

ineffective assistance

prosecutorial misconduct

due process

PRACTICE AREAS

federal habeas corpus

criminal procedure

post-conviction relief

constitutional law

ineffective assistance

QUESTIONS PRESENTED

1. Whether Allen established actual innocence sufficient to obtain federal habeas relief or an evidentiary hearing.
2. Whether trial counsel rendered ineffective assistance by failing to investigate or present witnesses supporting self-defense, imperfect self-defense, or heat of passion.
3. Whether trial counsel was ineffective for failing to object to alleged prosecutorial misconduct during closing argument.
4. Whether the prosecutor's closing argument improperly misstated or concealed evidence and deprived Allen of due process.
5. Whether the trial court's failure to give a specific instruction concerning spectator misconduct deprived Allen of a fair trial.
6. Whether cumulative alleged errors denied Allen due process.

HOLDINGS

1. Allen's freestanding actual-innocence claim was not cognizable on federal habeas review because he did not tie the newly discovered evidence to an independent constitutional violation. In any event, the Greer declaration was not sufficiently reliable and did not establish that it was more likely than not that no reasonable juror would have convicted Allen.
2. Allen failed to establish ineffective assistance because counsel's investigation and decision not to pursue the proposed witnesses were reasonable, Allen did not show the witnesses would have been available and willing to testify favorably, and he failed to show prejudice.
3. Allen did not receive ineffective assistance from counsel's failure to object because the prosecutor's argument was not misconduct and an objection would have been meritless.
4. The prosecutor did not commit misconduct by arguing that Allen concealed the gun and did not warn Johnson before the shooting, and the argument did not deprive Allen of due process.
5. The spectator-misconduct claim was procedurally defaulted because Allen failed to make a contemporaneous objection and request a curative instruction. Even if considered on the merits, the absence of a specific instruction did not deprive Allen of a fundamentally fair trial.
6. Allen was not entitled to habeas relief for cumulative error because he failed to establish any underlying constitutional error capable of accumulating into a due-process violation.

KEY QUOTATIONS

“The standards of 28 U.S.C. § 2254(d) and Strickland are “highly deferential . . . and when the two apply in tandem, review is doubly so.”” (Section III.B)

“The declaration therefore does not qualify as “new reliable evidence” such as a “trustworthy eyewitness account.”” (Section III.A)

FACTUAL BACKGROUND

In 2017, Dominique Johnson was shot and killed in Oakland after an altercation involving Allen. Trial evidence included surveillance video, DNA evidence linking Allen to a sweatshirt found near the scene, and testimony from Allen's girlfriend, Candace, describing a fight, Allen's possession of a gun, and the shooting. A later declaration from Larry Greer described an earlier wrestling altercation and Allen's taking a gun from Johnson, but Greer did not witness the shooting and his account was delayed and internally problematic.

PROCEDURAL HISTORY

A California jury convicted Allen of first degree murder and found true a personal firearm-discharge enhancement, resulting in a sentence of 50 years to life. Allen's efforts to overturn the conviction in California courts were unsuccessful. He then petitioned the Northern District of California for habeas relief, asserting actual innocence, ineffective assistance of trial counsel, prosecutorial misconduct, spectator misconduct affecting the trial, and cumulative error. The district court denied the petition, denied an evidentiary hearing on actual innocence, declined to issue a certificate of appealability, entered judgment for Schuyler, and closed the case.

DISPOSITION

dismissed

CASES CITED

- Williams (Terry) v. Taylor, 529 U.S. 362, 409, 411-13 (2000)
- Bousley v. United States, 523 U.S. 614, 623 (1998)
- Schlup v. Delo, 513 U.S. 298, 324, 327-28 (1995)
- Lee v. Lampert, 653 F.3d 929, 943-46 (9th Cir. 2011)
- McQuiggin v. Perkins, 569 U.S. 383, 389-90, 399 (2013)
- Herrera v. Collins, 506 U.S. 390, 400 (1993)
- Townsend v. Sain, 372 U.S. 293, 317 (1963)
- Delgado v. Lewis, 223 F.3d 976, 982 (9th Cir. 2000)
- Harrington v. Richter, 562 U.S. 86, 98, 105, 108, 112 (2011)
- Strickland v. Washington, 466 U.S. 668, 687-88, 694-95 (1984)
- Allen v. Woodford, 395 F.3d 979, 1002 n.2 (9th Cir. 2005)
- Dows v. Wood, 211 F.3d 480, 486 (9th Cir. 2000)
- Greenway v. Ryan, 856 F.3d 676, 682 (9th Cir. 2017)
- Juan H. v. Allen, 408 F.3d 1262, 1273 (9th Cir. 2005)

- Darden v. Wainwright, 477 U.S. 168, 181 (1986)
- Tan v. Runnels, 413 F.3d 1101, 1112 (9th Cir. 2005)
- People v. Hill, 3 Cal. 4th 959, 1000 (Cal. 1992)
- Ylst v. Nunnemaker, 501 U.S. 797, 803 (1991)
- Coleman v. Thompson, 501 U.S. 722, 729 (1991)
- Bennett v. Mueller, 322 F.3d 573, 586 (9th Cir. 2003)
- Harris v. Reed, 489 U.S. 255, 262 (1989)
- Murray v. Carrier, 477 U.S. 478, 488, 496 (1986)
- McClesky v. Zant, 499 U.S. 467, 497 (1991)
- White v. Lewis, 874 F.2d 599, 603 (9th Cir. 1989)
- Engle v. Isaac, 456 U.S. 107, 134 n.43 (1982)
- Dunckhurst v. Deeds, 859 F.2d 110, 114 (9th Cir. 1988)
- Walker v. Endell, 850 F.2d 470, 475 (9th Cir. 1987)
- Henderson v. Kibbe, 431 U.S. 145, 154-55 (1977)
- Villafuerte v. Stewart, 111 F.3d 616, 624 (9th Cir. 1997)
- Weeks v. Angelone, 528 U.S. 225, 234 (2000)
- Tanner v. United States, 483 U.S. 107, 116-27 (1987)
- Alcala v. Woodford, 334 F.3d 862, 893-95 (9th Cir. 2003)
- Mancuso v. Olivarez, 292 F.3d 939, 957 (9th Cir. 2002)
- Donnelly v. DeChristoforo, 416 U.S. 637, 643 (1974)
- Slack v. McDaniel, 529 U.S. 473, 484 (2000)