

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

Michael Maietta v. Christopher Artuz, Superintendent, Greenhaven
Correctional Facility

84 F.3d 100 (2d Cir. 1996) · No. No. 1323, Docket 95-2673 · Decided May 15, 1996

SUMMARY

The Second Circuit affirmed the denial of Michael Maietta's federal habeas corpus petition challenging the use of a post-plea arrest to impose the maximum sentence under an earlier plea agreement. The court held that Maietta's guilty plea to the subsequent Westchester burglary charge precluded him from contesting, for purposes of the earlier sentencing agreement, the identity of the perpetrator and validity of the arrest.

CASE DETAILS

COURT	United States Court of Appeals for the Second Circuit
WRITING FOR THE COURT	Jon O. Newman, Chief Judge; Irving R. Kaufman Lumbard, Circuit Judge; Amalya L. Kearse, Circuit Judge
JURISDICTION	Federal
DECIDED	May 15, 1996
DOCKET	No. 1323, Docket 95-2673
DISPOSITION	affirmed
PROCEDURAL POSTURE	Petitioner appealed the denial of his federal habeas corpus petition challenging a New York state sentence imposed after he breached a plea agreement by being arrested on an unrelated burglary charge.
PRECEDENTIAL VALUE	Published precedential opinion of the United States Court of Appeals for the Second Circuit.
PARTIES	Michael Maietta v. Christopher Artuz, Superintendent, Greenhaven Correctional Facility

TOPICS

- federal habeas corpus
- post-conviction relief
- plea bargaining
- criminal procedure
- due process

PRACTICE AREAS

- Federal habeas corpus
- Criminal procedure
- Plea agreements
- Collateral estoppel

QUESTIONS PRESENTED

1. Whether Maietta's guilty plea and resulting conviction on the Westchester burglary charge precluded him from challenging the validity of the arrest for the limited purpose of determining whether he breached the Bronx plea agreement.
2. Whether the state sentencing court violated due process by failing to conduct a full evidentiary hearing concerning the validity of the Westchester arrest.

HOLDINGS

1. In the circumstances presented, Maietta's guilty plea and resulting conviction on the Westchester charge precluded his challenge to the validity of the arrest for the limited purpose of determining whether he breached the plea agreement governing the Bronx charges.

KEY QUOTATIONS

“Maietta's guilty plea to the Westchester charge precludes a challenge to the validity of his arrest on that charge, at least for the limited purpose of determining his breach of the plea agreement governing the Bronx charges.” (¶ 13)

“His reasons for tendering that plea do not diminish the preclusive effect of the resulting conviction.” (¶ 15)

FACTUAL BACKGROUND

Maietta entered a Bronx County guilty plea that conditioned a four-to-eight-year sentencing range on, among other things, his not being arrested while at liberty awaiting sentencing. A few weeks later, he was arrested for a Westchester burglary based on evidence placing his Jeep at the scene and identifying him as its driver. At Bronx sentencing, he attempted to contest the validity of the Westchester arrest and his identity as the perpetrator, but the court imposed a ten-to-twenty-year sentence. Maietta later pleaded guilty to the Westchester burglary and then challenged the use of that arrest in imposing the Bronx sentence.

PROCEDURAL HISTORY

Maietta pleaded guilty in Bronx County Supreme Court to burglary-related charges under an agreement providing for a four-to-eight-year sentence if he was not arrested while awaiting sentencing. After he was arrested in Westchester, the Bronx sentencing court imposed a ten-to-twenty-year sentence. The New York Appellate Division and New York Court of Appeals affirmed or rejected his challenges, and the United States District Court for the Southern District of New York denied habeas relief. The Second Circuit affirmed.

DISPOSITION

affirmed

CASES CITED

- *People v. Maietta*, 173 A.D.2d 17, 24, 578 N.Y.S.2d 529, 533-34 (1st Dep't 1991)
- *Teague v. Lane*, 489 U.S. 288 (1989)

- *Ashe v. Swenson*, 397 U.S. 436 (1970)
- *Hernandez-Uribe v. United States*, 515 F.2d 20, 21 (8th Cir. 1975), cert. denied, 423 U.S. 1057 (1976)
- *Pena-Cabanillas v. United States*, 394 F.2d 785, 787 (9th Cir. 1968)
- *United States v. Pelullo*, 14 F.3d 881 (3d Cir. 1994)
- *United States v. Podell*, 572 F.2d 31, 35 (2d Cir. 1978)
- *LaMagna v. United States*, 646 F.2d 775, 778 (2d Cir. 1981), cert. denied, 454 U.S. 898 (1981)
- *Cameron v. Fogarty*, 806 F.2d 380, 386-89 (2d Cir. 1986)
- *Tavarez v. Reno*, 54 F.3d 109, 110 (2d Cir. 1995)