

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TENNESSEE

Abegunde v. United States

Abegunde · No. 2:22-cv-02879-SHL-atc · Decided March 11, 2026

SUMMARY

The United States District Court for the Western District of Tennessee denied and dismissed with prejudice Olufolajimi Abegunde’s motion under 28 U.S.C. § 2255. The court held that the motion became moot after Abegunde completed both his custodial sentence and supervised release, and he identified no continuing collateral consequence that could support Article III jurisdiction. Judgment was entered for the United States.

CASE DETAILS

COURT	United States District Court for the Western District of Tennessee
WRITING FOR THE COURT	Sheryl H. Lipman
JURISDICTION	United States District Court for the Western District of Tennessee
DECIDED	March 11, 2026
DOCKET	2:22-cv-02879-SHL-atc
DISPOSITION	dismissed
PROCEDURAL POSTURE	Motion under 28 U.S.C. § 2255 to vacate, set aside, or correct sentence; the district court denied the motion and dismissed it with prejudice as moot.
STANDARD OF REVIEW	The court applied the Article III case-or-controversy and mootness requirement, asking whether any effectual relief remained available.
PRECEDENTIAL VALUE	unpublished district court order; precedential status not designated in the document
PARTIES	Olufolajimi Abegunde v. United States of America

TOPICS

- federal habeas corpus
- post-conviction relief
- habeas corpus
- criminal procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Abegunde's § 2255 motion remained a live Article III case or controversy after he completed both his custodial sentence and supervised release.
2. Whether the court could grant any effectual relief when the motion did not identify a continuing collateral consequence of the conviction.

HOLDINGS

1. A § 2255 motion becomes moot after the movant completes the custodial sentence and supervised release unless a concrete and continuing injury or collateral consequence remains that could be redressed by the court.

KEY QUOTATIONS

“Once the convict’s sentence has expired . . . some concrete and continuing injury other than the now-ended incarceration or parole—some ‘collateral consequence’ of the conviction— must exist if the suit is to be maintained.”

“Accordingly, judgment on Abegunde’s behalf would not benefit him in any way.”

FACTUAL BACKGROUND

Abegunde filed a federal § 2255 motion asserting three Brady violations, five forms of ineffective assistance by appellate counsel, and two forms of ineffective assistance by trial counsel. He was released from custody on February 22, 2023, and his three-year term of supervised release subsequently expired while the motion was pending. His filings did not identify any continuing collateral consequence of his conviction after supervised release ended.

PROCEDURAL HISTORY

Abegunde filed a pro se § 2255 motion alleging Brady violations and ineffective assistance of trial and appellate counsel. After the court struck an oversized memorandum and granted extensions for an amended memorandum, Abegunde filed the amended memorandum on January 17, 2025. During the pendency of the motion, he completed both his custodial sentence and supervised release, and the court concluded that no continuing collateral consequence was alleged.

DISPOSITION

dismissed

CASES CITED

- Pilla v. United States, 668 F.3d 368, 372 (6th Cir. 2012)
- United States v. Holley, No. 23-5903, 2024 WL 4554805, at *3 (6th Cir. Sept. 24, 2024)

- Hollingsworth v. Perry, 570 U.S. 693, 704 (2013)
- Fialka-Feldman v. Oakland Univ. Bd. of Trs., 639 F.3d 711, 713 (6th Cir. 2011)
- Coalition for Gov't Procurement v. Fed. Prison Indus., Inc., 365 F.3d 435, 458 (6th Cir. 2004)
- Spencer v. Kemna, 523 U.S. 1, 7 (1998)

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