

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Rogers v. Montgomery

Rogers v. Montgomery · No. 2:20-cv-02421-DAD-AC · Decided May 22, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations and denied DeAndre Marquis Rogers’s federal habeas corpus petition on the merits. The court held that the state court’s rejection of Rogers’s due process and Eighth Amendment claims was not objectively unreasonable under 28 U.S.C. § 2254(d). The court declined to issue a certificate of appealability and directed the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Dale A. Drozd
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	May 22, 2025
DOCKET	2:20-cv-02421-DAD-AC
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Federal habeas petition under 28 U.S.C. § 2254; the district court conducted de novo review of the magistrate judge's findings and recommendations after petitioner filed objections.
STANDARD OF REVIEW	Under 28 U.S.C. § 2254(d), federal habeas relief is unavailable unless the state court's adjudication was contrary to, or involved an unreasonable application of, clearly established federal law or was based on an unreasonable determination of the facts. The district court reviewed the magistrate judge's recommendations de novo under 28 U.S.C. § 636(b)(1)(C).
PRECEDENTIAL VALUE	Nonprecedential district court order; precedential status is unknown in the source metadata.
PARTIES	DeAndre Marquis Rogers v. Warren L. Montgomery

TOPICS

federal habeas corpus

post-conviction relief

due process

cruel and unusual punishment

sentencing

PRACTICE AREAS

federal habeas corpus

state post-conviction relief

criminal procedure

sentencing

QUESTIONS PRESENTED

1. Whether the state court unreasonably applied federal due process law by upholding Rogers's conviction when the evidence allegedly failed to establish that he knew of the firearm or intended to possess it.
2. Whether the state court unreasonably applied the Eighth Amendment's prohibition on cruel and unusual punishment by upholding Rogers's 30-years-to-life third-strike sentence.
3. Whether Rogers was entitled to a certificate of appealability.

HOLDINGS

1. The state court's rejection of Rogers's claim was not objectively unreasonable because, viewing the evidence in the light most favorable to the prosecution, a rational trier of fact could have found the essential elements of firearm possession beyond a reasonable doubt.
2. The state court's rejection of Rogers's proportionality claim was not objectively unreasonable because the sentence was not grossly disproportionate in light of the state's legitimate interest in punishing recidivists and Supreme Court precedent upholding comparable indeterminate life sentences for third-strike offenders.
3. Rogers was not entitled to a certificate of appealability because reasonable jurists would not find the denial of his constitutional claims debatable or wrong, and he had not made a substantial showing of the denial of a constitutional right.

KEY QUOTATIONS

“The relevant question is whether after viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.” (at 2)

“Therefore, the court will decline to issue a certificate of appealability.” (at 3)

FACTUAL BACKGROUND

Rogers was convicted under California's third-strike scheme of possession of a firearm by a felon. The evidence showed that Rogers was in the backseat of a car containing a firearm in the front seat, and the prosecution relied in part on an alleged statement to "grab it, grab it." He received a sentence of 30 years to life when he was 25 years old. He challenged the conviction on due process and sufficiency-of-the-evidence grounds and challenged the sentence as grossly disproportionate under the Eighth Amendment.

PROCEDURAL HISTORY

Rogers, a California state prisoner, filed a petition for federal habeas relief challenging his conviction and sentence. The magistrate judge recommended denying the petition, concluding that the state court reasonably rejected Rogers's due process and Eighth Amendment claims. After considering Rogers's objections and conducting de novo review under 28 U.S.C. § 636(b)(1)(C), the district court adopted the findings and recommendations, denied the petition on the merits, declined to issue a certificate of appealability, and closed the case.

DISPOSITION

writ_denied

CASES CITED

- Jackson v. Virginia, 443 U.S. 307, 307 (1979)
- Ewing v. California, 538 U.S. 11, 17-18, 29-31 (2003)
- Lockyer v. Andrade, 538 U.S. 63, 66, 77 (2003)
- Miller-El v. Cockrell, 537 U.S. 322, 327, 335-36, 338 (2003)
- Slack v. McDaniel, 529 U.S. 473, 484 (2000)