

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA

John M. Hairston v. Warden

No. 3:25-CV-698-PPS-AZ (N.D. Ind. Dec. 17, 2025) · No. 3:25-CV-698-PPS-AZ · Decided December 17, 2025

SUMMARY

The United States District Court for the Northern District of Indiana dismissed John M. Hairston's 28 U.S.C. § 2254 habeas petition as untimely under the federal one-year statute of limitations. The court rejected Hairston's arguments for applying a later limitations start date and for equitable tolling based on his lack of legal education and post-conviction counsel's conduct. The court also denied a certificate of appealability and directed the clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana
WRITING FOR THE COURT	Philip P. Simon
JURISDICTION	United States District Court for the Northern District of Indiana, South Bend Division
DECIDED	December 17, 2025
DOCKET	3:25-CV-698-PPS-AZ
DISPOSITION	dismissed
PROCEDURAL POSTURE	Dismissal on screening under Rule 4 of the Rules Governing Section 2254 Cases for untimeliness.
STANDARD OF REVIEW	Screening under Rule 4 of the Rules Governing Section 2254 Cases.
PRECEDENTIAL VALUE	unpublished

TOPICS

- federal habeas corpus
- statute of limitations
- due process
- civil procedure

PRACTICE AREAS

- habeas corpus
- criminal procedure
- civil procedure

QUESTIONS PRESENTED

- Whether the federal habeas petition is timely under 28 U.S.C. § 2244(d)(1)(A) or (D).

2. Whether the petitioner is entitled to equitable tolling of the federal habeas limitations period.

HOLDINGS

1. The due diligence standard under § 2244(d)(1)(D) is objective, not subjective. The factual predicate of a claim could have been discovered when the important facts were known or discoverable through diligence, not when the prisoner recognized their legal significance.
2. A petitioner is entitled to equitable tolling only if he shows (1) diligent pursuit of his rights and (2) that an extraordinary circumstance stood in his way and prevented timely filing. Prior lack of education and legal training, or state post-conviction counsel's failure to inform, are not extraordinary circumstances.

KEY QUOTATIONS

“Time begins when the prisoner knows (or through diligence could discover) the important facts, not when the prisoner recognizes their legal significance.”

“[A] petitioner is entitled to equitable tolling only if he shows (1) that he has been pursuing his rights diligently, and (2) that some extraordinary circumstance stood in his way and prevented timely filing.”

FACTUAL BACKGROUND

Petitioner Hairston was sentenced by the Marion Superior Court in 2001 to 64 years of incarceration. In 2005, following state post-conviction proceedings, he was resentenced to 55 years. He filed a federal habeas petition in 2025, challenging the consecutive nature of his sentences.

PROCEDURAL HISTORY

Petitioner filed a federal habeas petition challenging his state sentence. The court initially noted the petition appeared untimely but allowed a response. After considering the response, the court dismissed the petition as untimely and denied a certificate of appealability.

DISPOSITION

dismissed

CASES CITED

- Owens v. Boyd, 235 F.3d 356, 359 (7th Cir. 2000)
- Holland v. Florida, 560 U.S. 631, 649 (2010)
- Mayberry v. Dittmann, 904 F.3d 525, 530 (7th Cir. 2018)
- Obrecht v. Foster, 727 F.3d 744, 748 (7th Cir. 2013)
- Socha v. Boughton, 763 F.3d 674, 685 (7th Cir. 2014)
- Arrieta v. Battaglia, 461 F.3d 861, 867 (7th Cir. 2006)
- Williams v. Sims, 390 F.3d 958, 963 (7th Cir. 2004)
- Holland v. Florida, 560 U.S. 631, 651–52 (2010)

- *Lombardo v. United States*, 860 F.3d 547, 553 (7th Cir. 2017)
- *Taylor v. Michael*, 724 F.3d 806, 811 (7th Cir. 2013)
- *Carpenter v. Douma*, 840 F.3d 867, 870 (7th Cir. 2016)
- *Slack v. McDaniel*, 529 U.S. 473, 484 (2000)

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