

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Martel Artis v. Warden of High Desert State Prison

Artis · No. 2:25-cv-02190-ART-NJK · Decided December 29, 2025

SUMMARY

The United States District Court for the District of Nevada directs habeas petitioner Martel Artis to show cause why his 28 U.S.C. § 2254 petition should not be dismissed without prejudice as wholly unexhausted. The court denies Artis’s motion for an extension of time and permits him to address exhaustion or request a stay by January 19, 2026.

CASE DETAILS

COURT	United States District Court for the District of Nevada
JURISDICTION	United States District Court for the District of Nevada
DECIDED	December 29, 2025
DOCKET	2:25-cv-02190-ART-NJK
DISPOSITION	other
PROCEDURAL POSTURE	Initial screening of a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2254. The court denied the petitioner's motion for an extension of time and ordered him to show cause why the petition should not be dismissed without prejudice as wholly unexhausted.
STANDARD OF REVIEW	Under Habeas Rule 4, the court must examine a § 2254 petition and order a response unless it plainly appears that the petitioner is not entitled to relief; the court may screen and dismiss petitions that are patently frivolous, vague, conclusory, palpably incredible, false, or plagued by procedural defects.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Martel Artis v. Warden of High Desert State Prison

TOPICS

- federal habeas corpus
- post-conviction relief
- state post-conviction relief
- civil procedure
- statute of limitations

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court should require Artis to show cause why his § 2254 petition should not be dismissed without prejudice as wholly unexhausted.
2. Whether Artis's motion for an extension of time should be granted when the requested extension was unclear.

HOLDINGS

1. A federal court may screen a § 2254 petition under Habeas Rule 4 and require the petitioner to show cause why the petition should not be dismissed without prejudice when the petition appears wholly unexhausted.
2. The motion for extension of time is denied because it is unclear what deadline or period Artis seeks to extend.

KEY QUOTATIONS

“A federal court may not entertain a habeas petition unless the petitioner has exhausted all available and adequate state court remedies for all claims in his or her petition.” (Discussion)

“Artis show cause on or before January 19, 2026, unless more time is requested, why his Petition should not be dismissed without prejudice as wholly unexhausted.” (Conclusion)

FACTUAL BACKGROUND

The Eighth Judicial District Court of Nevada entered a judgment of conviction against Martel Artis on January 1, 2025, for conspiracy to commit robbery. Artis received a sentence of 14 to 48 months in prison. He then filed a federal § 2254 petition, but the record appeared to show that he had filed neither a direct appeal nor a state habeas petition.

PROCEDURAL HISTORY

Artis filed a federal habeas petition challenging a Nevada conviction and sentence, along with a financial certificate and a motion for extension of time. On initial review under Rule 4 of the Rules Governing Section 2254 Cases, the court found that Artis appeared not to have pursued a direct appeal or state habeas petition. The court therefore ordered him to show cause by January 19, 2026, why the petition should not be dismissed without prejudice, while denying the extension motion because its requested extension was unclear.

DISPOSITION

other

CASES CITED

- Valdez v. Montgomery, 918 F.3d 687, 693 (9th Cir. 2019)

- *Boyd v. Thompson*, 147 F.3d 1124, 1128 (9th Cir. 1998)
- *Hendricks v. Vasquez*, 908 F.2d 490, 491 (9th Cir. 1990)
- *O’Sullivan v. Boerckel*, 526 U.S. 838, 844–45 (1999)
- *Coleman v. Thompson*, 501 U.S. 722, 731 (1991)
- *Picard v. Connor*, 404 U.S. 270, 276 (1971)
- *Woods v. Sinclair*, 764 F.3d 1109, 1129 (9th Cir. 2014)
- *Castillo v. McFadden*, 399 F.3d 993, 999 (9th Cir. 2005)
- *Rose v. Lundy*, 455 U.S. 509, 510 (1982)
- *Rhines v. Weber*, 544 U.S. 269, 273–75 (2005)

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