

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
NORTH CAROLINA

Sheldon Summers v. State of North Carolina

Summers · No. 5:26-cv-00103-MR · Decided June 2, 2026

SUMMARY

The United States District Court for the Western District of North Carolina denied Sheldon Summers’s motion to alter or amend the dismissal of his 28 U.S.C. § 2241 habeas petition. The court held that Summers did not establish grounds for relief under Federal Rule of Civil Procedure 59(e), including newly available evidence, an intervening change in law, clear legal error, or manifest injustice. The court also struck a duplicate filing and warned against further improper submissions.

CASE DETAILS

COURT	United States District Court for the Western District of North Carolina
WRITING FOR THE COURT	Martifi Reidinger
JURISDICTION	United States District Court for the Western District of North Carolina
DECIDED	June 2, 2026
DOCKET	5:26-cv-00103-MR
DISPOSITION	other
PROCEDURAL POSTURE	The court considered a pro se letter construed as a motion to alter or amend the judgment under Federal Rule of Civil Procedure 59(e), following dismissal of the petitioner's pretrial 28 U.S.C. § 2241 habeas petition for failure to exhaust state remedies.
STANDARD OF REVIEW	A Rule 59(e) motion may be granted only in narrow circumstances: an intervening change in controlling law, newly available evidence, clear error of law, or manifest injustice. The court exercises discretion under that standard.
PRECEDENTIAL VALUE	Unpublished memorandum decision; precedential status is unknown in the source metadata.
PARTIES	Sheldon Summers v. State of North Carolina

TOPICS

- motion for reconsideration
- federal habeas corpus
- civil procedure
- criminal procedure

PRACTICE AREAS

federal habeas corpus

civil procedure

criminal procedure

post-conviction relief

QUESTIONS PRESENTED

1. Whether Summers's letter should be construed as a motion to alter or amend the judgment under Federal Rule of Civil Procedure 59(e).
2. Whether Summers established an intervening change in controlling law, newly available evidence, clear legal error, or manifest injustice warranting relief under Rule 59(e).
3. Whether the court could intervene in the pending state criminal proceedings by submitting materials to a county clerk, investigating the alleged unconstitutional bond, or changing venue.

HOLDINGS

1. The court construed Summers's letter as a motion to alter or amend the judgment under Federal Rule of Civil Procedure 59(e).
2. The motion was properly denied because Summers did not show an intervening change in controlling law, newly available evidence, clear error of law, or manifest injustice.
3. The court could not improperly intervene in Summers's state criminal proceedings by submitting materials to a county clerk, investigating his bond, or changing venue.

KEY QUOTATIONS

“A district court has the discretion to grant a Rule 59(e) motion only in very narrow circumstances: “(1) to accommodate an intervening change in controlling law; (2) to account for new evidence not available at trial; or (3) to correct a clear error of law or to prevent manifest injustice.”” (at 708)

“Furthermore, “Rule 59(e) motions may not be used to make arguments that could have been made before the judgment was entered.”” (at 708)

FACTUAL BACKGROUND

Summers was arrested on August 3, 2022, on state charges arising from alleged offenses committed on September 25, 1992, including first-degree murder, robbery with a dangerous weapon, and assault with a deadly weapon with intent to kill or inflict serious injury. He was detained in the Iredell County Jail and alleged that he had been denied a speedy trial while suffering from Stage 4 metastatic prostate cancer without treatment at the jail. After the court dismissed his § 2241 petition for failure to exhaust state appellate remedies, he claimed that he had filed state writs and speedy-trial motions but received no response.

PROCEDURAL HISTORY

Summers filed a pro se § 2241 petition in the Eastern District of North Carolina. After he corrected deficiencies, the matter was transferred to the Western District of North Carolina, where the court dismissed the petition because he had not completed one full round of North Carolina appellate review. Summers then filed a letter

asserting efforts to pursue state remedies and requesting intervention in his state criminal proceedings; the court construed the letter as a Rule 59(e) motion, denied it, and struck a duplicate filing.

DISPOSITION

other

REMAND INSTRUCTIONS

None. The Rule 59(e) motion was denied, and Docket No. 13 was stricken.

CASES CITED

- Hill v. Braxton, 277 F.3d 701, 708 (4th Cir. 2002)
- Collison v. Int'l Chem. Workers Union, 34 F.3d 233, 236 (4th Cir. 1994)
- Woodrum v. Thomas Mem'l Hosp. Found., Inc., 186 F.R.D. 350, 351 (S.D. W. Va. 1999)