

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
VIRGINIA, RICHMOND DIVISION

John Cornelius Gaskins v. Chadwick Dotson, et al.

Gaskins · No. 3:24cv673 (DJN) · Decided December 4, 2025

SUMMARY

The United States District Court for the Eastern District of Virginia addresses John Cornelius Gaskins’s 28 U.S.C. § 2254 petition challenging Virginia’s refusal to credit his sentence for time spent in Maryland custody. The court concludes that Virginia law did not require credit for confinement in a Maryland facility and that due process did not require Virginia to credit time attributable to Maryland’s authority and unrelated Maryland charges. The court grants the respondents’ motion to dismiss, with the double-jeopardy claim treated as procedurally defaulted.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Eastern District of Virginia,<br>Richmond Division                                                                                                                                                                                                                                                                                                                                                                            |
| WRITING FOR THE COURT | David J. Novak                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| JURISDICTION          | United States District Court for the Eastern District of Virginia,<br>Richmond Division                                                                                                                                                                                                                                                                                                                                                                            |
| DECIDED               | December 4, 2025                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| DOCKET                | 3:24cv673 (DJN)                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| DISPOSITION           | dismissed                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| PROCEDURAL POSTURE    | Petitioner sought federal habeas relief under 28 U.S.C. § 2254, challenging Virginia's failure to credit his Virginia sentence for time spent in Maryland custody and asserting due-process and double-jeopardy violations. Respondents moved to dismiss. The court granted the motion, denied the petition, dismissed the action, denied release on bond, and denied a certificate of appealability.                                                              |
| STANDARD OF REVIEW    | Under 28 U.S.C. § 2254(d), relief is unavailable on a claim adjudicated on the merits in state court unless the state decision was contrary to, or involved an unreasonable application of, clearly established Supreme Court precedent, or was based on an unreasonable determination of the facts. State factual determinations are presumed correct under § 2254(e)(1), subject to rebuttal by clear and convincing evidence. Procedurally defaulted claims are |

|                           |                                                                                  |
|---------------------------|----------------------------------------------------------------------------------|
|                           | unreviewable absent cause and prejudice or a fundamental miscarriage of justice. |
| <b>PRECEDENTIAL VALUE</b> | unpublished district-court memorandum; persuasive at most                        |
| <b>PARTIES</b>            | John Cornelius Gaskins v. Chadwick Dotson, et al.                                |

## TOPICS

federal habeas corpus post-conviction relief due process successive petitions comity

## PRACTICE AREAS

federal habeas corpus state post-conviction relief criminal procedure constitutional law federalism

## QUESTIONS PRESENTED

1. Whether Virginia law required credit against Gaskins's Virginia sentence for time he spent confined in a Maryland state or local correctional facility on Maryland charges.
2. Whether the Due Process Clause required Virginia to credit Gaskins's Virginia sentence for Maryland confinement that allegedly continued because of Virginia's detainer.
3. Whether Gaskins's double-jeopardy claim was procedurally defaulted because he did not raise it in his initial state habeas petition.
4. Whether the federal habeas petition should be dismissed under AEDPA's deferential standard of review.

## HOLDINGS

1. Virginia Code § 53.1-187 did not require credit for Gaskins's Maryland confinement because he was not confined in a state or local correctional facility as those terms are defined by Virginia Code § 53.1-1.
2. Due process did not require Virginia to credit Gaskins's Virginia sentence for time he spent incarcerated in Maryland on Maryland charges, even though a Virginia detainer may have prevented release to home confinement.
3. The Virginia detainer neither transferred Gaskins into Virginia custody nor triggered the Interstate Agreement on Detainers because it was not based on an untried criminal charge.
4. The double-jeopardy claim was procedurally defaulted because Gaskins did not raise it in his initial state habeas petition, and Virginia law would now bar the claim.

## KEY QUOTATIONS

*“Outside the bounds of the IADA, the detainer had no coercive force or controlling authority over Maryland’s decision to keep petitioner confined in jail, rather than at home, pursuant to the Prince George’s charges.”* (at 6)

*“Under this doctrine, the “primary jurisdiction over a person is generally determined by which [sovereign] first obtains custody of, or arrests, the person,” and primary jurisdiction then continues “until the first*

*sovereign relinquishes its priority in some way.”” (at 7)*

*“Because Virginia exercised no power or authority over Maryland’s decision to incarcerate petitioner while the Prince George’s charges were pending, any associated deprivation of liberty is not sufficiently attributable to Virginia to implicate the Due Process Clause.” (at 9)*

*“If a state court clearly and expressly bases its dismissal of a habeas petitioner’s claim on a state procedural rule, and that procedural rule provides an independent and adequate ground for the dismissal, the habeas petitioner has procedurally defaulted his federal habeas claim.” (at 12)*

## FACTUAL BACKGROUND

Gaskins was convicted in Virginia in 2018 of being a violent felon in possession of a firearm and was sentenced to five years. While released on appeal bond and residing in Maryland, he was arrested there in April 2020 on separate Prince George's County charges and remained incarcerated. Virginia issued a detainer in January 2021 after revoking his appeal bond; the Maryland charges were dismissed in November 2021, and he was extradited to Virginia in December 2021. Virginia credited him only for the eight days after dismissal of the Maryland charges awaiting extradition, not for the 298 days preceding dismissal.

## PROCEDURAL HISTORY

Gaskins was convicted in the Circuit Court of Fairfax County, Virginia, and received a five-year sentence. After being released on appeal bond, he was arrested and held in Maryland on separate charges, which were later dismissed; Virginia had issued a detainer during that period. Virginia awarded him credit only for the time after dismissal of the Maryland charges while he awaited extradition. The Supreme Court of Virginia denied his state habeas petition in *Gaskins v. Clarke*, 904 S.E.2d 186 (Va. 2024), and this federal § 2254 proceeding followed.

## DISPOSITION

dismissed

## CASES CITED

- *Gaskins v. Clarke*, 904 S.E.2d 186 (Va. 2024)
- *Gray v. Branker*, 529 F.3d 220, 228 (4th Cir. 2008)
- *Schriro v. Landrigan*, 550 U.S. 465, 473 (2007)
- *Williams v. Taylor*, 529 U.S. 362, 410 (2000)
- *Durkin v. Davis*, 390 F. Supp. 249, 250-56 (E.D. Va. 1975), rev'd on other grounds, 538 F.2d 1037 (4th Cir. 1976)
- *United States v. Salerno*, 481 U.S. 739, 751 (1987)
- *Mora v. City of Gaithersburg*, 519 F.3d 216, 222 (4th Cir. 2008)
- *Bradds v. Randolph*, 239 Md. App. 50, 54 (2018)
- *Carchman v. Nash*, 473 U.S. 716, 719, 728-34 (1985)
- *State v. Jimenez*, 808 N.W.2d 352, 355-57 (Neb. 2012)

- Rease v. Commonwealth, 221 Va. 289, 294 & n.\* (1984)
- Moody v. Daggett, 429 U.S. 78, 80 n.2 (1976)
- McFarland v. McFarland, 179 Va. 418, 430 (1942)
- Wilkinson v. Youell, 180 Va. 321, 326 (1942)
- Ponzi v. Fessenden, 258 U.S. 254, 260 (1922)
- Hernandez v. United States Attorney Gen., 689 F.2d 915, 918 (10th Cir. 1982)
- Strand v. Schmittroth, 251 F.2d 590, 598, 600 (9th Cir. 1957)
- Johnson v. Gill, 883 F.3d 756, 761-63, 765-66 (9th Cir. 2018)
- Pope v. Perdue, 889 F.3d 410, 415 (7th Cir. 2018)
- United States v. Cole, 416 F.3d 894, 897 (8th Cir. 2005)
- Thomas v. Whalen, 962 F.2d 358, 360, 362 n.7 (4th Cir. 1992)
- Matter of Blake v. Inmate Records Clerk, 213 A.D.3d 1037, 1039 (N.Y. App. Div. 2023)
- State v. Start, 427 N.W.2d 800, 803 (Neb. 1988)
- Bagley v. Rogerson, 5 F.3d 325, 330 (8th Cir. 1993)
- Peyton v. Christian, 208 Va. 105, 108 (1967)
- Scott v. United States, 434 F.2d 11, 21-22 (5th Cir. 1970)
- Lindke v. Freed, 601 U.S. 187, 194-95, 198 (2024)
- United States v. Wilson, 503 U.S. 329, 337 (1992)
- United States v. Brown, 977 F.2d 574 (4th Cir. 1992) (unpublished), 1992 WL 237275, at \*1
- Slavek v. Hinkle, 359 F. Supp. 2d 473, 479 (E.D. Va. 2005)
- Preiser v. Rodriguez, 411 U.S. 475, 491-92 & 492 n.10 (1973)
- Picard v. Connor, 404 U.S. 270, 275 (1971)
- O'Sullivan v. Boerckel, 526 U.S. 838, 844-48 (1999)
- Baldwin v. Reese, 541 U.S. 27, 29 (2004)
- Duncan v. Henry, 513 U.S. 364, 365-66 (1995)
- Longworth v. Ozmint, 377 F.3d 437, 448 (4th Cir. 2004)
- Baker v. Corcoran, 220 F.3d 276, 289 (4th Cir. 2000)
- Mallory v. Smith, 27 F.3d 991, 994-95 (4th Cir. 1994)
- Breard v. Pruett, 134 F.3d 615, 619 (4th Cir. 1998)
- Jones v. Sussex I State Prison, 591 F.3d 707, 716 (4th Cir. 2010)
- Harris v. Reed, 489 U.S. 255, 262 (1989)
- Hedrick v. True, 443 F.3d 342, 364 (4th Cir. 2006)
- Gray v. Netherland, 518 U.S. 152, 161-62 (1996)