

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

William Cisneros v. Brad Cain

Case No. 2:23-cv-00248-AB · No. 2:23-cv-00248-AB · Decided January 21, 2026

SUMMARY

The United States District Court for the District of Oregon considers William Cisneros’s amended petition for a writ of habeas corpus under 28 U.S.C. § 2254. Cisneros challenges his Oregon convictions for multiple sex offenses and luring a minor, asserting prosecutorial misconduct and ineffective assistance of trial counsel. The opinion recounts the underlying allegations and state-court proceedings before addressing the habeas claims under the deferential standards of § 2254(d); the visible text states that the amended petition is denied.

CASE DETAILS

COURT	United States District Court for the District of Oregon
WRITING FOR THE COURT	Amy M. Baggio
JURISDICTION	United States District Court for the District of Oregon
DECIDED	January 21, 2026
DOCKET	2:23-cv-00248-AB
DISPOSITION	denied
PROCEDURAL POSTURE	Petitioner sought federal habeas relief under 28 U.S.C. § 2254 from Oregon state convictions. The district court denied the amended petition in its entirety and declined to issue a certificate of appealability.
STANDARD OF REVIEW	Under 28 U.S.C. § 2254(d), relief is unavailable unless the state-court adjudication 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 findings are presumed correct under § 2254(e)(1). Ineffective-assistance claims are reviewed under the doubly deferential combination of Strickland and AEDPA.
PRECEDENTIAL VALUE	unpublished district court opinion; persuasive but not binding precedent
PARTIES	William Cisneros v. Brad Cain

TOPICS

federal habeas corpus ineffective assistance prosecutorial misconduct due process post-conviction relief

PRACTICE AREAS

federal habeas corpus post-conviction relief criminal procedure constitutional law

QUESTIONS PRESENTED

1. Whether the prosecutor's closing-argument statements that the complainant was not lying and related comments denied petitioner due process by constituting improper vouching or otherwise rendering the trial fundamentally unfair.
2. Whether trial counsel was ineffective for failing to object to the prosecutor's allegedly inflammatory, prejudicial, vouching, and burden-shifting closing arguments.
3. Whether trial counsel was ineffective for failing to retain a forensic child-interviewing expert.
4. Whether petitioner was entitled to habeas relief under the deferential standards of 28 U.S.C. § 2254(d).

HOLDINGS

1. The state courts' rejection of petitioner's due-process claim was neither contrary to nor an unreasonable application of clearly established federal law, and the prosecutor's challenged comments did not render the trial fundamentally unfair.
2. Petitioner failed to establish that trial counsel's decision not to object to the prosecutor's closing argument was objectively unreasonable or prejudicial under Strickland as applied through AEDPA.
3. Petitioner was not entitled to habeas relief on the claim that trial counsel was ineffective for failing to retain a forensic child-interviewing expert.

KEY QUOTATIONS

“A prosecutor commits misconduct if the prosecutor’s improper comments “so infected the trial with unfairness as to make the resulting conviction a denial of due process.”” (Discussion § I.A.i)

“Improper vouching occurs when the prosecutor places the prestige of the government behind the witness or suggests that information not presented to the jury supports the witness’ testimony.” (Discussion § I.A.i)

“A “reasonable probability” is “a probability sufficient to undermine confidence in the outcome.””
(Discussion § I.B.i)

“For the reasons identified above, the Amended Petition for Writ of Habeas Corpus (ECF No. 27) is denied.”
(Conclusion)

FACTUAL BACKGROUND

William Cisneros was in a relationship with Linda Hock and lived with Hock and her children, including NJ, during the period when NJ alleged the abuse occurred. NJ disclosed multiple incidents of sexual abuse by Cisneros when she was nine years old, including incidents in a garage, motel, barn, and bedroom, and later

repeated substantially similar accounts to her mother, police, and forensic interviewers. Cisneros repeatedly stated that he did not remember the events because of alcohol use, apologized, and acknowledged being with NJ in locations where abuse was alleged, but he did not expressly admit the abuse. A jury convicted him of multiple sexual offenses and luring a minor.

PROCEDURAL HISTORY

Petitioner was convicted in Deschutes County, Oregon, of multiple sexual offenses and luring a minor and was sentenced to 600 months' imprisonment. The Oregon Court of Appeals affirmed the convictions without opinion, and the Oregon Supreme Court denied review. The state post-conviction relief court denied claims alleging ineffective assistance of trial counsel; the Oregon Court of Appeals affirmed without opinion, and the Oregon Supreme Court denied review. The federal district court denied the amended habeas petition, concluding that the state-court decisions were not contrary to or unreasonable applications of clearly established federal law.

DISPOSITION

denied

CASES CITED

- Williams v. Taylor, 529 U.S. 362, 405-06, 410, 413 (2000)
- Harrington v. Richter, 562 U.S. 86, 98, 102, 105-06 (2011)
- Hibbler v. Benedetti, 693 F.3d 1140, 1146 (9th Cir. 2012)
- Andrew v. Davis, 944 F.3d 1092, 1107 (9th Cir. 2019)
- Miller-El v. Cockrell, 537 U.S. 322, 340 (2003)
- Hernandez v. Holland, 750 F.3d 843, 857 (9th Cir. 2014)
- Taylor v. Maddox, 366 F.3d 992, 1000 (9th Cir. 2004)
- Robinson v. Ignacio, 360 F.3d 1044, 1055 (9th Cir. 2004)
- Delgado v. Lewis, 223 F.3d 976, 982 (9th Cir. 2000)
- Pirtle v. Morgan, 313 F.3d 1160, 1167 (9th Cir. 2002)
- Darden v. Wainwright, 477 U.S. 168, 181 (1986)
- Donnelly v. DeChristoforo, 416 U.S. 637, 639, 642-43 (1974)
- Tan v. Runnels, 413 F.3d 1101, 1112 (9th Cir. 2005)
- United States v. McChristian, 47 F.3d 1499, 1507 (9th Cir. 1995)
- United States v. Sanchez, 176 F.3d 1214, 1224 (9th Cir. 1999)
- United States v. Parker, 241 F.3d 1114, 1119-20 (9th Cir. 2001)
- Greer v. Miller, 483 U.S. 756, 766 (1987)
- Smith v. Phillips, 455 U.S. 209, 221 (1982)
- Estelle v. McGuire, 502 U.S. 62, 67-68 (1991)
- Bradshaw v. Richey, 546 U.S. 74, 76 (2005)
- Trillo v. Biter, 769 F.3d 995, 1001 (9th Cir. 2014)

- Missouri v. Frye, 566 U.S. 134, 138 (2012)
- Strickland v. Washington, 466 U.S. 668, 686-95 (1984)
- Juan H. v. Allen, 408 F.3d 1262, 1273-74 (9th Cir. 2005)
- United States v. Necoechea, 986 F.2d 1273, 1281 (9th Cir. 1993)
- Woodford v. Visciotti, 537 U.S. 19, 25 (2002) (per curiam)
- Knowles v. Mirzayance, 556 U.S. 111, 122 (2009)
- Lockyer v. Andrade, 538 U.S. 63, 71, 75 (2003)
- Boyde v. California, 494 U.S. 370, 384 (1990)
- Weeks v. Angelone, 528 U.S. 225, 234 (2000)
- Richardson v. Marsh, 481 U.S. 200, 211 (1987)
- State v. Lundbom, 96 Or. App. 458, 461-62, 773 P.2d 11 (1989)
- Floyd v. Filson, 949 F.3d 1128, 1146 (9th Cir. 2020)
- Mendez v. Small, 298 F.3d 1154, 1158 (9th Cir. 2002)
- McSherry v. Block, 880 F.2d 1049, 1052 (9th Cir. 1989)