

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION

Sindone v. Miniard

Sindone · No. 2:23-cv-12254 · Decided January 8, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan denied Christopher L. Sindone’s petition for a writ of habeas corpus under 28 U.S.C. § 2254. The court rejected claims concerning an allegedly illegal search, sufficiency of the evidence that the burned trailer was a dwelling, double jeopardy, Michigan sentencing-guideline scoring, and ineffective assistance of counsel. The court also denied a certificate of appealability and permission to appeal in forma pauperis.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Southern Division
WRITING FOR THE COURT	Linda V. Parker
JURISDICTION	United States District Court for the Eastern District of Michigan, Southern Division
DECIDED	January 8, 2026
DOCKET	2:23-cv-12254
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner sought federal habeas relief under 28 U.S.C. § 2254 from Michigan convictions for second-degree arson and preparation to burn a dwelling.
STANDARD OF REVIEW	Under AEDPA, relief on a claim adjudicated on the merits in state court is unavailable unless the state decision was contrary to, or involved an unreasonable application of, clearly established Supreme Court law, or was based on an unreasonable determination of the facts. Sufficiency claims are reviewed under Jackson v. Virginia with two layers of deference. Fourth Amendment claims are generally barred from federal habeas review under Stone v. Powell when the state provided an opportunity for full and fair litigation.
PRECEDENTIAL VALUE	unpublished district court opinion; persuasive authority only

TOPICS

federal habeas corpus

post-conviction relief

ineffective assistance

double jeopardy

sentencing

PRACTICE AREAS

federal habeas corpus

criminal procedure

constitutional law

post-conviction relief

appellate procedure

QUESTIONS PRESENTED

1. Whether evidence obtained during a warrantless search of the trailer supported habeas relief or rendered trial counsel ineffective for failing to challenge the search.
2. Whether the evidence was sufficient to prove that the trailer was a dwelling under Michigan law.
3. Whether convictions for second-degree arson and preparation to burn a dwelling violated the Double Jeopardy Clause.
4. Whether alleged errors in scoring the Michigan sentencing guidelines supported federal habeas relief.
5. Whether trial counsel was ineffective for failing to challenge the dwelling element and for failing to retain or present an arson investigator.
6. Whether Petitioner was entitled to a certificate of appealability or permission to appeal in forma pauperis.

HOLDINGS

1. Petitioner was not entitled to habeas relief because the record reasonably supported the state court's conclusion that he lacked a legitimate expectation of privacy in the victim's trailer, and counsel was not ineffective for failing to raise a meritless Fourth Amendment challenge.
2. The state courts reasonably concluded that sufficient evidence established the trailer was a dwelling under Michigan law, and the state court's rejection of the sufficiency claim did not unreasonably apply *Jackson v. Virginia*.
3. Petitioner's convictions for second-degree arson and preparation to burn a dwelling did not violate the Double Jeopardy Clause because Michigan law permits cumulative punishment for the two offenses, which each require proof of an element the other does not.
4. Alleged errors in scoring the Michigan sentencing guidelines did not provide a basis for federal habeas relief because the claim asserted an error of state law and the guidelines did not create a federally cognizable entitlement.
5. Petitioner failed to establish ineffective assistance of counsel because the dwelling argument was meritless under the state court's interpretation of Michigan law and Petitioner supplied no factual basis showing that an arson investigator would have provided favorable testimony.

KEY QUOTATIONS

“Petitioner’s ineffective assistance claim therefore requires consideration of the merits of Petitioner’s underlying Fourth Amendment claim and, to the extent that Petitioner’s Fourth Amendment claim lacks merit, his ineffective assistance claim necessarily fails.” (III.A)

“Under clearly established Supreme Court law, the standard governing Petitioner’s sufficiency of the evidence claim is “whether, after viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.”” (III.B)

“Because the state court found that the Michigan Legislature intended to impose multiple punishments for these offenses, this “court’s inquiry is at an end” and there was no double jeopardy violation.” (III.C)

FACTUAL BACKGROUND

Petitioner was convicted after a bench trial arising from a fire at his estranged wife's mobile home. The evidence showed that the victim had purchased and begun living in the trailer, had utilities connected, and had moved personal belongings there, while Petitioner entered using an unauthorized copy of a key. Petitioner admitted being in the trailer shortly before the fire and claimed that a candle accidentally ignited an air mattress, whereas the prosecution relied on his statements that he had burned the trailer and on fire-scene evidence.

PROCEDURAL HISTORY

After a bench trial in the Wayne Circuit Court, Petitioner was convicted and sentenced as a third-time habitual felony offender. The Michigan Court of Appeals affirmed the convictions but remanded for resentencing, and the Michigan Supreme Court denied leave to appeal. Following resentencing and a second state-court appeal, Petitioner filed this § 2254 petition. The district court denied the petition with prejudice, denied a certificate of appealability, and denied permission to appeal in forma pauperis.

DISPOSITION

other

CASES CITED

- People v. Sindone, No. 340328, 2019 WL 1574747 (Mich. Ct. App. Apr. 11, 2019)
- People v. Sindone, 952 N.W.2d 491 (Mich. 2021) (Table)
- Mitchell v. Esparza, 540 U.S. 12, 15-16 (2003)
- Williams v. Taylor, 529 U.S. 362, 405-06, 413 (2000)
- Wiggins v. Smith, 539 U.S. 510, 520 (2003)
- Stone v. Powell, 428 U.S. 465, 494-495 (1976)
- Machacek v. Hofbauer, 213 F.3d 947, 952 (6th Cir. 2000)
- Brown v. Berghuis, 638 F. Supp. 2d 795, 812 (E.D. Mich. 2009)
- Minnesota v. Carter, 525 U.S. 83, 89-90 (1998)
- Minnesota v. Olson, 495 U.S. 91, 98 (1990)

- Rakas v. Illinois, 439 U.S. 128 (1978)
- United States v. Washington, 573 F.3d 279, 284 (6th Cir. 2009)
- United States v. McRae, 156 F.3d 708, 711 (6th Cir. 1998)
- United States v. Hunyady, 409 F.3d 297, 302-03 (6th Cir. 2005)
- Kimmelman v. Morrison, 477 U.S. 365, 375 (1986)
- Richardson v. Palmer, 941 F.3d 838, 857 (6th Cir. 2019)
- Mahdi v. Bagley, 522 F.3d 631, 638 (6th Cir. 2008)
- Jackson v. Virginia, 443 U.S. 307, 319 (1979)
- Coleman v. Johnson, 566 U.S. 650, 651 (2012) (per curiam)
- Cavazos v. Smith, 565 U.S. 1, 2 (2011) (per curiam)
- Tanner v. Yukins, 867 F.3d 661, 672 (6th Cir. 2017)
- Ohio v. Johnson, 467 U.S. 493, 498-99 & 499 n.8 (1984)
- Volpe v. Trim, 708 F.3d 688, 696-97 (6th Cir. 2013)
- Mullaney v. Wilbur, 421 U.S. 684, 691 (1975)
- Tironi v. Birkett, 252 F. App'x 724, 725 (6th Cir. 2007)
- Howard v. White, 76 F. App'x 52, 53 (6th Cir. 2003)
- Kissner v. Palmer, 826 F.3d 898, 904 (6th Cir. 2016)
- Mitchell v. Vasbinder, 644 F. Supp. 2d 846, 867 (E.D. Mich. 2009)
- People v. Douglas, 496 Mich. 557, 593-97 (2014)
- People v. Hoag, 460 Mich. 1, 6 (1999)
- Davis v. Straub, 430 F.3d 281, 290-91 (6th Cir. 2005)
- Burt v. Titlow, 571 U.S. 12, 23 (2013)
- Slack v. McDaniel, 529 U.S. 473, 484 (2000)