

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
ALABAMA, EASTERN DIVISION

Barksdale v. McClain

Barksdale · No. 1:24-cv-1022-ACA-NAD · Decided December 5, 2025

SUMMARY

The United States District Court for the Northern District of Alabama adopted the magistrate judge’s recommendation and dismissed Christopher Blake Barksdale’s 28 U.S.C. § 2254 habeas petition without prejudice for failure to exhaust state court remedies. The court denied a certificate of appealability because the petition did not present issues debatable among reasonable jurists.

CASE DETAILS

COURT	United States District Court for the Northern District of Alabama, Eastern Division
WRITING FOR THE COURT	Annemarie Carney Axon
JURISDICTION	United States District Court for the Northern District of Alabama, Eastern Division
DECIDED	December 5, 2025
DOCKET	1:24-cv-1022-ACA-NAD
DISPOSITION	dismissed
PROCEDURAL POSTURE	The petitioner sought federal habeas relief under 28 U.S.C. § 2254. A magistrate judge recommended dismissal for failure to exhaust state-court remedies, and the district court adopted the recommendation after the objection period expired without objections.
STANDARD OF REVIEW	The district court reviewed the magistrate judge's report and recommendation after the objection period expired.
PRECEDENTIAL VALUE	Unknown; memorandum opinion from a federal district court
PARTIES	Christopher Blake Barksdale v. Antonio McClain, Warden

TOPICS

- federal habeas corpus
- post-conviction relief

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Barksdale's § 2254 petition should be dismissed without prejudice because he had not exhausted available state-court remedies.
2. Whether a certificate of appealability should issue.

HOLDINGS

1. The petition was dismissed without prejudice because Barksdale had not exhausted his state-court remedies.
2. A certificate of appealability was denied because the petition did not present issues debatable among reasonable jurists.

KEY QUOTATIONS

“Accordingly, the court will DISMISS this petition for writ of habeas corpus WITHOUT PREJUDICE to allow Mr. Barksdale to exhaust his state court remedies.” (at 2)

FACTUAL BACKGROUND

Christopher Blake Barksdale filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254. The magistrate judge determined that the petition was unexhausted. The district court dismissed the petition without prejudice so Barksdale could exhaust his state-court remedies.

PROCEDURAL HISTORY

The magistrate judge issued a report recommending dismissal of the § 2254 petition as unexhausted and notified the parties of their right to file specific written objections within fourteen days. No objections were filed. The district court adopted the report, accepted the recommendation, dismissed the petition without prejudice to permit exhaustion of state remedies, and denied a certificate of appealability.

DISPOSITION

dismissed

REMAND INSTRUCTIONS

No remand. The dismissal was without prejudice to allow Barksdale to exhaust his state-court remedies.

CASES CITED

- Slack v. McDaniel, 529 U.S. 473, 484-85 (2000)

OPINION

Barksdale

PER CURIAM.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ALABAMA

EASTERN DIVISION

CHRISTOPHER BLAKE)

BARKSDALE,)

) Petitioner,)) Case No. 1:24-cv-1022-ACA-NAD v.)) ANTONIO MCCLAIN, Warden,))
Respondent.

MEMORANDUM OPINION

The magistrate judge entered a report in which he recommended that the court dismiss Christopher Blake Barksdale's petition, filed pursuant to 28 U.S.C. § 2254, as unexhausted. (Doc. 13). The magistrate judge notified the parties of their right to file specific written objections within fourteen days (*id.* at 8–9), but that time expired without the court receiving any objections. After careful consideration of the record in this case and the magistrate judge's report, the court ADOPTS the report and ACCEPTS the recommendation. Accordingly, the court will DISMISS this petition for writ of habeas corpus WITHOUT PREJUDICE to allow Mr. Barksdale to exhaust his state court remedies. Because the petition does not present issues that are debatable among reasonable jurists, a certificate of appealability is denied. See 28 U.S.C. § 2253(c); *Slack v. McDaniel*, 529 U.S. 473, 484–85 (2000). DONE and ORDERED this December 5, 2023.

ANNEMARIE CARNEY AXON

UNITED STATES DISTRICT JUDGE