

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

David Ruiz v. Superintendent K. Walker

25-CV-3787 (OEM) (E.D.N.Y. Feb. 19, 2026) · No. 25-CV-3787 (OEM) · Decided February 19, 2026

SUMMARY

The United States District Court for the Eastern District of New York considers David Ruiz’s pro se petition for a writ of habeas corpus under 28 U.S.C. § 2254. Ruiz challenges the admission of cell site location information, asserts ineffective assistance of counsel, and argues that his conviction was against the weight of the evidence and that his sentence was excessive. The court denies relief, concluding that the Fourth Amendment claim is barred under *Stone v. Powell* and that the ineffective-assistance claim does not satisfy the applicable deferential standard.

CASE DETAILS

COURT	United States District Court for the Eastern District of New York
WRITING FOR THE COURT	Orelia E. Merchant
JURISDICTION	United States District Court for the Eastern District of New York
DECIDED	February 19, 2026
DOCKET	25-CV-3787 (OEM)
DISPOSITION	other
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2254 challenging a New York state robbery conviction and sentence.
STANDARD OF REVIEW	Under AEDPA, relief may be granted on a claim adjudicated on the merits only when the state-court 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 under 28 U.S.C. § 2254(d). State factual findings receive a presumption of correctness rebuttable only by clear and convincing evidence under § 2254(e)(1). Fourth Amendment claims are barred under <i>Stone v. Powell</i> when the state provided a full and fair opportunity to litigate them. Ineffective-assistance claims are reviewed under the doubly deferential <i>Strickland</i> and AEDPA standards.
PRECEDENTIAL VALUE	Unpublished district court memorandum and order; persuasive authority only.

PARTIES

David Ruiz v. Superintendent K. Walker

TOPICS

federal habeas corpus

post-conviction relief

fourth amendment

ineffective assistance

sentencing

PRACTICE AREAS

Federal habeas corpus

Criminal procedure

Constitutional law

Ineffective assistance of counsel

Sentencing

QUESTIONS PRESENTED

1. Whether the Fourth Amendment claim challenging the warrantless acquisition and admission of Ruiz's CSLI was barred from federal habeas review under *Stone v. Powell*.
2. Whether trial counsel was ineffective for failing to object to the admission of CSLI obtained before *Carpenter v. United States*.
3. Whether Ruiz's New York weight-of-the-evidence claim was cognizable on federal habeas review.
4. Whether Ruiz was entitled to habeas relief based on an allegedly excessive or vindictive sentence imposed after he proceeded to trial.
5. Whether any Eighth Amendment challenge to the sentence warranted habeas relief.

HOLDINGS

1. The Fourth Amendment challenge to the admission of Ruiz's CSLI was barred from federal habeas review because New York provided corrective procedures and Ruiz had a full and fair opportunity to litigate the claim; no unconscionable breakdown in the state process occurred.
2. Ruiz was not entitled to habeas relief on his ineffective-assistance claim because the state court's rejection of the claim was not objectively unreasonable under *Strickland* and AEDPA.
3. Ruiz's challenge to the weight of the evidence was not cognizable on federal habeas review because it presented a question of New York state law rather than a federal constitutional sufficiency-of-the-evidence claim.
4. Ruiz was not entitled to habeas relief on his excessive-sentence claim because a state-law sentencing challenge was not cognizable and the record did not show that the trial court imposed a harsher sentence to punish him for exercising his right to proceed to trial.

KEY QUOTATIONS

“A “mere disagreement with the outcome of a state court ruling is not the equivalent of an unconscionable breakdown in the state’s corrective procedures.”” (Discussion § A.1)

“Surmounting *Strickland*’s high bar is never an easy task, and it is made all the more difficult in the § 2254 habeas context.” (Discussion § A.2)

“But the “mere fact that the sentence imposed following trial is greater than the offer made during plea negotiations,” without more, “does not indicate that a petitioner has been punished for exercising his right to proceed to trial.”” (Discussion § C)

FACTUAL BACKGROUND

Ruiz was convicted of participating in a 2017 Queens robbery after a jeweler was attacked and robbed by two men. Evidence connecting Ruiz to the crime included a palm print recovered from the victim's car, surveillance footage, eyewitness testimony, and cell-site location information placing Ruiz's phone within several blocks of the scene shortly after the robbery. The CSLI was obtained in December 2017 under an order issued pursuant to the Stored Communications Act, before *Carpenter v. United States* held that a warrant supported by probable cause is generally required for CSLI. Ruiz received a twenty-year sentence after rejecting or not accepting pretrial plea offers of nine and ten years.

PROCEDURAL HISTORY

Ruiz was convicted by a jury in Queens County of first-degree robbery and two counts of second-degree robbery and received a twenty-year determinate sentence. The New York Appellate Division, Second Department, largely affirmed, rejecting the ineffective-assistance, weight-of-the-evidence, and excessive-sentence claims while deleting a provision requiring the sentences to run consecutively to a not-yet-imposed federal sentence. The New York Court of Appeals denied leave to appeal. The federal district court denied the § 2254 petition and directed entry of judgment.

DISPOSITION

other

CASES CITED

- *Stone v. Powell*, 428 U.S. 465 (1976)
- *Capellan v. Riley*, 975 F.2d 67 (2d Cir. 1992)
- *Ethridge v. Bell*, 49 F.4th 674 (2d Cir. 2022)
- *Carpenter v. United States*, *Carpenter v. United States*, 585 U.S. 296 (2018)
- *United States v. Zoghates*, 901 F.3d 137 (2d Cir. 2018)
- *Strickland v. Washington*, 466 U.S. 668 (1984)
- *Harrington v. Richter*, 562 U.S. 86 (2011)
- *Walters v. Lee*, 857 F.3d 466 (2d Cir. 2017)
- *Estelle v. McGuire*, 502 U.S. 62 (1991)
- *Jackson v. Virginia*, 443 U.S. 307 (1979)
- *Bordenkircher v. Hayes*, 434 U.S. 357 (1978)
- *United States v. Goodwin*, 457 U.S. 368 (1982)
- *Alabama v. Smith*, 490 U.S. 794 (1989)

- Walker v. Walker, 259 F. Supp. 2d 221 (E.D.N.Y. 2003)
- Trest v. Cain, 522 U.S. 87 (1997)
- Ferrelli v. River Manor Health Care Ctr., 323 F.3d 196 (2d Cir. 2003)

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