

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

Christoph Riedl v. Gary Miniard

Riedl · No. 2:24-cv-10752 · Decided January 9, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan denied Christopher Riedl’s petition for a writ of habeas corpus under 28 U.S.C. § 2254. The court held that his challenge to court costs was not cognizable in federal habeas proceedings and that his claims concerning the scoring of Michigan sentencing guidelines did not establish a federal due process violation. The court also denied a certificate of appealability and leave to proceed in forma pauperis on appeal.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Southern Division
WRITING FOR THE COURT	Matthew F. Leitman
JURISDICTION	United States District Court for the Eastern District of Michigan, Southern Division
DECIDED	January 9, 2026
DOCKET	2:24-cv-10752
DISPOSITION	denied
PROCEDURAL POSTURE	Federal habeas corpus petition under 28 U.S.C. § 2254 challenging Michigan convictions, court costs, and sentencing-guidelines scoring.
STANDARD OF REVIEW	Federal habeas relief under 28 U.S.C. § 2254 is available only for custody in violation of the Constitution, laws, or treaties of the United States. State-law sentencing errors are not cognizable on federal habeas review. A due-process sentencing challenge requires a sentence pronounced on materially and extensively false information that the defendant had no opportunity to correct. A certificate of appealability requires a substantial showing of the denial of a constitutional right.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status not stated.
PARTIES	Christoph Riedl v. Gary Miniard

TOPICS

federal habeas corpus

post-conviction relief

sentencing

due process

appellate procedure

PRACTICE AREAS

federal habeas corpus

post-conviction relief

criminal procedure

sentencing

QUESTIONS PRESENTED

1. Whether Riedl's challenge to Michigan-imposed court costs was cognizable in a federal habeas proceeding under 28 U.S.C. § 2254.
2. Whether alleged errors in scoring Michigan sentencing Offense Variables 10 and 4 presented cognizable federal habeas claims.
3. Whether the state trial court violated due process by sentencing Riedl on materially false or inaccurate information that he had no opportunity to correct.
4. Whether Riedl was entitled to a certificate of appealability or leave to proceed in forma pauperis on appeal.

HOLDINGS

1. A challenge to the imposition of state court costs is not cognizable on federal habeas review because it does not challenge the fact or duration of the petitioner's confinement.
2. Alleged errors in scoring Michigan sentencing-guidelines offense variables are not cognizable on federal habeas review to the extent they present only state-law issues.
3. Riedl was not entitled to habeas relief on his due-process sentencing claim because he failed to show that the state court relied on materially false or inaccurate information that he had no opportunity to correct.
4. A certificate of appealability was denied because reasonable jurists would not debate the district court's resolution of the petition or conclude that the issues deserved encouragement to proceed further.

KEY QUOTATIONS

“Under § 2254, subject matter jurisdiction exists only for claims that a person is in custody in violation of the Constitution or laws or treaties of the United States.” (II.A)

“A state court’s alleged misinterpretation of state sentencing guidelines and crediting statutes is a matter of state concern only” (II.B)

“But Riedl has made no such showing here. He has not made any attempt to show how the information relied upon by the state trial court was materially false.” (II.B)

FACTUAL BACKGROUND

Riedl pleaded guilty to two counts of third-degree criminal sexual conduct and one count of assault with intent to commit criminal sexual conduct involving penetration in Michigan state court. He received concurrent sentences of 85 months to 15 years on the criminal sexual conduct convictions and 36 months to 10 years on the assault

conviction. He challenged the imposition of court costs and the scoring of Michigan sentencing Offense Variables 10 and 4, asserting that the costs statute was unconstitutional and that the guidelines were scored using inaccurate information.

PROCEDURAL HISTORY

Riedl pleaded guilty in the Allegan County Circuit Court to two counts of third-degree criminal sexual conduct and one count of assault with intent to commit criminal sexual conduct involving penetration. The state court sentenced him to concurrent prison terms. The Michigan Court of Appeals denied relief, and the Michigan Supreme Court denied leave to appeal. Riedl then filed this federal habeas petition, which the district court denied, along with a certificate of appealability and leave to proceed in forma pauperis on appeal.

DISPOSITION

denied

CASES CITED

- People v. Riedl, 11 N.W.3d 273 (Mich. 2024)
- Washington v. McQuiggin, 529 F. App'x 766, 772-73 (6th Cir. 2013)
- Warsaw v. Palmer, 2017 WL 5201394, at *1 (6th Cir. Apr. 19, 2017)
- Michaels v. Hackel, 491 F. App'x 670, 671 (6th Cir. 2012)
- Kennedy v. Nagy, 2018 WL 3583212, at *2 (6th Cir. July 12, 2018)
- Estelle v. McGuire, 502 U.S. 62, 67-68 (1991)
- Howard v. White, 76 F. App'x 52, 53 (6th Cir. 2003)
- Townsend v. Burke, 334 U.S. 736, 740-41 (1948)
- Slack v. McDaniel, 529 U.S. 473, 484 (2000)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN
DIVISION CHRISTOPH RIEDL, Petitioner, Case No. 24-cv-10752 Hon. Matthew F. Leitman v.
GARY MINIARD, Respondent.

_____/ ORDER (1)
DENYING PETITION FOR WRIT OF HABEAS CORPUS (ECF No. 1), (2) DENYING A
CERTIFICATE OF APPEALABILITY, AND (3) DENYING LEAVE TO PROCEED IN FORMA
PAUPERIS ON APPEAL Petitioner Christopher Riedl is a state inmate in the custody of the
Michigan Department of Corrections.

On March 25, 2025, Riedl filed a pro se petition for a writ of habeas corpus in this Court pursuant
to 28 U.S.C. § 2254. (See Pet., ECF No. 1.) In the petition, Riedl seeks relief from his state-court
convictions of two counts of third-degree criminal sexual conduct, Mich. Comp. Laws §

750.521d(1)(d), and one count of assault with intent to commit criminal sexual conduct involving penetration, Mich. Comp.

Laws § 750.520g(1). (See *id.*) He raises claims concerning the imposition of court costs and the state trial court's scoring of two offense variables of the Michigan sentencing guidelines. (See *id.*) The Court has carefully reviewed the petition, and for the reasons explained below, it concludes that Riedl is not entitled to federal habeas relief.

The Court therefore DENIES the petition, DENIES Riedl a certificate of appealability, and DENIES Riedl leave to proceed in forma pauperis on appeal. I On April 1, 2022, Riedl pleaded guilty in the Allegan County Circuit Court to two counts of third-degree criminal sexual conduct and one count of assault with intent to commit criminal sexual conduct involving sexual penetration.

(See Plea Hrg Tr., ECF No. 9-2.) On May 2, 2022, the state trial court sentenced him to concurrent terms of 85 months to 15 years in prison on the criminal sexual conduct convictions and a concurrent term of 36 months to 10 years in prison on the assault conviction. (See Sent. Hrg. Tr., ECF No. 9-3.) Following his convictions and sentencing, Riedl filed an application for leave to appeal with the Michigan Court of Appeals.

In that appeal, he raised the following claims: I. The Due Process Clauses of the federal and state constitutions require that a criminal case be processed before a neutral and fair judicial officer. Where MCL 769.1k(1)(b)(iii) authorizes courts to impose a purported tax to fund operating of the court system, the statute is facially unconstitutional. II.

The Due Process Clause of the Fourteenth Amendment requires that an offender be sentenced only on accurate information. Offense Variable 10 is established by MCL 777.40 and requires by its express terms a preponderance of evidence to show predatory conduct directed at a victim to score 15 points. Recognized interpretations require that only pre-offense conduct have as its primary purpose exploitation of a vulnerability.

Where no conduct meeting the definitions occurred, the trial court erred by assessing 14 points for OV 10. III. The Due Process Clause of the Fourteenth Amendment requires that an offender be sentenced only on accurate information. Offense Variable 4 is established by MCL 777.34 and requires by its express terms a preponderance of evidence to show serious psychological injury to a victim caused by the offender.

Recognized interpretations preclude assuming serious psychological injury. Where no injury or serious injury were identified in the record, the scoring of 10 points for OV 4 is plain error. (ECF No. 9-4, PageID.136.)

The Michigan Court of Appeals initially denied leave to appeal on the offense variable claims for lack of merit and held the imposition of costs claims in abeyance, and it later denied leave to appeal the cost costs claim as well. (See *People v. Riedl*, No. 363689 (Mich. Ct. App. Dec. 15, 2022, and Sept. 19, 2023), Ords., ECF No. 9- 5, PageID.228-229.) Riedl then filed an application for leave to appeal in the Michigan Supreme Court raising those same claims, and that court denied relief on the basis that it was “not persuaded that the questions presented should be reviewed by [that] court.” *People v. Riedl*, 11 N.W.3d 273 (Mich.

2024). Riedl thereafter filed this federal habeas petition in which he raises the same claims that he presented to the state appellate courts. (See Pet., ECF No. 1.) Respondent filed an answer to the petition in which he argued that Riedl’s claims are not cognizable and/or fail for lack merit. (See Ans., ECF No. 8.) II A The Court begins with Riedl’s claim that the state trial court improperly assessed him certain court costs.

In this claim, Riedel argues that the Michigan statute under which the state trial court assessed court costs is unconstitutional and deprived him of a neutral decision-maker with respect to whether court costs should be imposed. (See Pet., ECF No. 1.) This Court cannot grant relief on that claim because it is not cognizable on federal habeas review. “Under § 2254, subject matter jurisdiction exists only for claims that a person is in custody in violation of the Constitution or laws or treaties of the United States.” *Washington v. McQuiggin*, 529 F.App’x 766, 772 (6th Cir.

2013) (cleaned up). Thus, as the United States Court of Appeals for the Sixth Circuit has explained, a habeas petitioner’s challenge to the imposition of court costs “is not cognizable because it does not challenge the fact or duration of [the petitioner’s] confinement.” *Warsaw v. Palmer*, 2017 WL 5201394, at *1 (6th Cir. Apr. 19, 2017) (denying application for certificate of appealability where petitioner claimed that he “was deprived of his due process right to contest the enforcement of an order to pay court costs and a partial fee for his court-appointed attorney”).

See also *Michaels v. Hackel*, 491 F.App’x 670, 671 (6th Cir. 2012) (citing cases and rejecting argument that challenge to a state court-imposed fine is sufficient to render petitioners “in custody” for purposes of district court habeas jurisdiction); *Washington*, 529 F.App’x at 772-73 (dismissing habeas claim challenging state- court imposed fees “because [the petitioner was] not claiming the right to be released” from custody); *Kennedy v. Nagy*, 2018 WL 3583212, at *2 (6th Cir.

July 12, 2018) (“Kennedy argues that the trial court erred by ordering him to pay restitution, court costs, and attorney’s fees without first considering his financial situation.... [T]hese claims are not cognizable in a federal habeas proceeding because noncustodial punishments do not satisfy the ‘in custody’ requirement of § 2254.”).

Because this claim is not cognizable on federal habeas review, the Court cannot grant Riedl relief on this claim. B The Court next turns to Riedl's claims arising out of the state trial court's scoring of the sentencing guidelines.

In these claims, Riedl asserts that he is entitled to habeas relief because the state trial court erred in scoring Offense Variables 10 and 4 of the state sentencing guidelines such that he was not sentenced based upon accurate information. Riedl is not entitled to relief on this claim for two reasons.

First, to the extent that Riedl contests the state trial court's scoring of certain offense variables under state law, this Court cannot grant him relief. A claim challenging the scoring of offense variables under the Michigan sentencing guidelines is not cognizable on federal habeas review because it is purely a state law claim. See *Estelle v. McGuire*, 502 U.S. 62, 67-68 (1991) ("[I]t is not the province of a federal habeas court to reexamine state-court determinations on state-law questions."); *Howard v. White*, 76 F. App'x 52, 53 (6th Cir.

2003) ("A state court's alleged misinterpretation of state sentencing guidelines and crediting statutes is a matter of state concern only"); *Warsaw*, 2017 WL 5201394, at *1 ("Reasonable jurists could not debate the district court's conclusion that Warsaw's first and third grounds for relief are not cognizable on federal habeas review because, to the extent they are challenging state guidelines calculations, they raise issues of state law that are not cognizable in a § 2254 proceeding.").

Second, to the extent Riedl says that the state trial court violated his due process rights when it calculated his sentencing guidelines, he has not shown an entitlement to relief. The Supreme Court has held that a sentence may violate a defendant's due process rights where the sentence was "pronounce[ed]... on a foundation so extensively and materially false, which the prisoner had no opportunity to correct." *Townsend v. Burke*, 334 U.S. 736, 740-41 (1948).

But Riedl has made no such showing here. He has not made any attempt to show how the information relied upon by the state trial court was materially false. Moreover, he had a sentencing hearing before the state trial court with an opportunity to correct and/or contest the scoring of the offense variables, the guidelines, and the sentencing decision. He also raised his current sentencing issues on appeal in the state appellate courts and was denied relief.

For all of these reasons, Riedl; has failed to show that the state trial court relied upon materially false or inaccurate information in imposing his sentences which he had no opportunity to correct. Riedl is therefore not entitled to habeas relief on this claim. III For all of the reasons explained above, Riedl is not entitled to federal habeas relief. His petition for a writ of habeas corpus is therefore DENIED.

Before Riedl may appeal the Court's decision, he must receive a certificate of appealability. See 28 U.S.C. § 2253(c)(1)(a); Fed. R. App. P. 22(b). A certificate of appealability may be granted only if a petitioner makes "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2). "A petitioner may meet this standard by showing that reasonable jurists could debate whether the petition should have been determined in a different manner or that the issues presented were 'adequate to deserve encouragement to proceed further.'" Warsaw, 2017 WL 5201334, at *1 (quoting Slack v. McDaniel, 529 U.S. 473, 484 (2000)).

Riedl cannot meet that standard here. Reasonable jurists would not conclude that the issues presented here deserve encouragement to proceed further. The Court therefore DENIES Riedl a certificate of appealability. Finally, the Court concludes that an appeal from this decision cannot be taken in good faith. See Fed. R. App. P. 24(a).

Accordingly, the Court DENIES Riedl leave to proceed in forma pauperis on appeal. IT IS SO ORDERED. s/Matthew F. Leitman MATTHEW F. LEITMAN UNITED STATES DISTRICT JUDGE Dated: January 9, 2026 I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 9, 2026, by electronic means and/or ordinary mail. s/Holly A. Ryan Case Manager (313) 234-5126