

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
INDIANA, NEW ALBANY DIVISION

Conley v. Reagle

No. 4:23-cv-00074-TWP-KMB (S.D. Ind. June 11, 2026) · No. No. 4:23-cv-00074-TWP-KMB · Decided June 11, 2026

SUMMARY

The United States District Court for the Southern District of Indiana denied Andrew Conley's petition for a writ of habeas corpus under 28 U.S.C. § 2254. The court held that the Indiana state courts reasonably rejected Conley's claims that his guilty plea was involuntary and that trial counsel provided ineffective assistance, and it denied a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the Southern District of Indiana, New Albany Division
WRITING FOR THE COURT	Tanya Walton Pratt
JURISDICTION	United States District Court for the Southern District of Indiana, New Albany Division
DECIDED	June 11, 2026
DOCKET	No. 4:23-cv-00074-TWP-KMB
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2254 challenging an Indiana murder conviction and discretionary life-without-parole sentence was denied. The court also denied a certificate of appealability.
STANDARD OF REVIEW	Under AEDPA, habeas relief is unavailable unless the state-court adjudication 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 are presumed correct under § 2254(e)(1) absent clear and convincing rebuttal. Ineffective-assistance claims are governed by Strickland's deficient-performance and prejudice requirements, and guilty-plea prejudice requires a reasonable probability that the petitioner would have rejected the plea and proceeded to trial.

PRECEDENTIAL VALUE	unpublished
PARTIES	Andrew Conley v. Warden Dennis Reagle

TOPICS

federal habeas corpus ineffective assistance plea bargaining sentencing cruel and unusual punishment

PRACTICE AREAS

Federal habeas corpus Post-conviction relief Criminal procedure Ineffective assistance of counsel
Juvenile sentencing

QUESTIONS PRESENTED

1. Whether trial counsel rendered ineffective assistance by advising Conley to plead guilty rather than proceed to trial, including on a possible guilty-but-mentally-ill defense.
2. Whether trial counsel rendered ineffective assistance by failing to present additional evidence and argument concerning juvenile brain development, Conley's age, and Roper, Graham, and Miller.
3. Whether trial counsel rendered ineffective assistance by failing to obtain expert testimony rebutting the prosecution pathologist's testimony.
4. Whether trial counsel rendered ineffective assistance by inadequately challenging the testimony of Dr. Daum or failing to obtain another mental-health expert.
5. Whether trial counsel rendered ineffective assistance by failing to obtain jail records and related personnel testimony concerning Conley's mental health.
6. Whether trial counsel rendered ineffective assistance by failing to call additional character and mental-health witnesses at sentencing.
7. Whether Conley's guilty plea was knowing, intelligent, and voluntary.
8. Whether Conley was entitled to federal habeas relief under AEDPA.
9. Whether a certificate of appealability should issue.

HOLDINGS

1. The Indiana Court of Appeals reasonably concluded that Conley did not receive ineffective assistance in connection with his guilty plea. The record supported findings that Conley insisted on pleading guilty, counsel reasonably believed a plea offered the best chance to avoid life without parole, and counsel did not promise that Conley would avoid that sentence.
2. The Indiana Supreme Court reasonably rejected Conley's claim that counsel were ineffective for failing to present additional evidence or argument concerning his age, juvenile brain development, Roper, and Graham.
3. The Indiana Supreme Court reasonably concluded that counsel were not ineffective for failing to retain an expert to rebut the prosecution pathologist's testimony concerning whether the victim was alive when

the plastic bag was placed over his head.

4. The Indiana Supreme Court reasonably concluded that counsel did not perform deficiently in challenging Dr. Daum's mental-health testimony.
5. The Indiana Supreme Court reasonably concluded that counsel were not ineffective for failing to obtain additional jail records and related testimony concerning Conley's mental health.
6. The Indiana Supreme Court reasonably concluded that counsel were not ineffective for failing to call every proposed character or mental-health witness.
7. Conley's guilty plea was not shown to be unknowing, unintelligent, or involuntary, and the Indiana Court of Appeals reasonably applied the governing standard in rejecting that claim.
8. Conley was not entitled to habeas relief because the state courts did not unreasonably apply clearly established federal law or unreasonably determine the facts.
9. A certificate of appealability shall not issue because reasonable jurists could not disagree with the resolution of Conley's claims and the claims do not warrant further proceedings.

KEY QUOTATIONS

“Conley has failed to demonstrate that he is entitled to habeas corpus relief because he has not shown that the Indiana state courts in Conley II and Conley III made unreasonable factual findings or unreasonably applied federal law when rejecting his claims of ineffective assistance of trial counsel and of an unknowing, unintelligent, or involuntary guilty plea.”

FACTUAL BACKGROUND

Conley murdered his ten-year-old brother in 2009 when Conley was seventeen and a half. After choking his brother, placing a plastic bag over his head, and striking his head against concrete, Conley concealed the body and later reported the killing to police. He pleaded guilty without a plea agreement and received a discretionary life-without-parole sentence. His federal petition challenged counsel's advice concerning the plea and counsel's presentation of mitigation, expert, jail-record, and character-witness evidence at sentencing.

PROCEDURAL HISTORY

Conley pleaded guilty in Indiana state court to murdering his ten-year-old brother when Conley was seventeen and received a discretionary life-without-parole sentence. The Indiana Supreme Court affirmed his sentence on direct appeal. After state post-conviction proceedings, the Indiana Court of Appeals found ineffective assistance concerning sentencing and ordered a new sentencing hearing, but the Indiana Supreme Court granted transfer, vacated that decision, and affirmed denial of post-conviction relief. Conley then filed this federal § 2254 petition alleging ineffective assistance of trial counsel and an unknowing, involuntary, or unintelligent guilty plea.

DISPOSITION

dismissed

CASES CITED

- *Perez-Gonzalez v. Lashbrook*, 904 F.3d 557, 562 (7th Cir. 2018)
- *Conley v. State*, 972 N.E.2d 864, 869–70, 875–80 (Ind. 2012)
- *Conley v. State*, 164 N.E.3d 787, 792, 805–17 (Ind. Ct. App. 2021)
- *Conley v. State*, 169 N.E.3d 854 (Ind. 2021)
- *Conley v. State*, 183 N.E.3d 276, 282–89 (Ind. 2022)
- *Dassey v. Dittmann*, 877 F.3d 297, 301–02 (7th Cir. 2017) (en banc)
- *Klein v. Martin*, 607 U.S. 213, 220–23 (2026)
- *Harrington v. Richter*, 562 U.S. 86, 101–02 (2011)
- *Schmidt v. Foster*, 911 F.3d 469, 477 (7th Cir. 2018) (en banc)
- *Wilson v. Sellers*, 584 U.S. 122, 125 (2018)
- *Korakis v. Memorial Hospital of South Bend*, 225 N.E.3d 760, 761 (Ind. 2024)
- *Strickland v. Washington*, 466 U.S. 668, 688–94 (1984)
- *Resnick v. United States*, 7 F.4th 611, 619 (7th Cir. 2021)
- *Groves v. United States*, 755 F.3d 588, 591 (7th Cir. 2014)
- *Wyatt v. United States*, 574 F.3d 455, 458 (7th Cir. 2009)
- *Perrone v. United States*, 889 F.3d 898, 908 (7th Cir. 2018)
- *Hurlow v. United States*, 726 F.3d 958, 967 (7th Cir. 2013)
- *United States v. Fuller*, 312 F.3d 287, 293 (7th Cir. 2002)
- *Stanley v. Bartley*, 465 F.3d 810, 813 (7th Cir. 2006)
- *Powell v. Fuchs*, 4 F.4th 541, 550 (7th Cir. 2021)
- *Roper v. Simmons*, 543 U.S. 551 (2005)
- *Graham v. Florida*, *Graham v. Florida*, 560 U.S. 48 (2010)
- *Miller v. Alabama*, *Miller v. Alabama*, 567 U.S. 460, 473 (2012)
- *Walker v. Cromwell*, 140 F.4th 878, 882 (7th Cir. 2025)
- *Hutchings v. United States*, 618 F.3d 693, 699 (7th Cir. 2010)
- *Thornell v. Jones*, 602 U.S. 154, 166–68 (2024)
- *Crisp v. Duckworth*, 743 F.2d 580, 585 (7th Cir. 1984)
- *Laux v. Zatecky*, 890 F.3d 666, 675–76 (7th Cir. 2018)
- *Porter v. McCollum*, 558 U.S. 30, 41 (2009)
- *Bradshaw v. Stumpf*, 545 U.S. 175, 186 (2005)
- *Buck v. Davis*, 580 U.S. 100, 115 (2017)
- *Resnover v. Pearson*, 965 F.2d 1453, 1458 (7th Cir. 1992)
- *Clark v. Sweeney*, 607 U.S. 7, 9 (2025)

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