

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

Terrell Martin v. Warden, David W. Gray

Martin · No. 4:23-cv-00388 · Decided March 31, 2026

SUMMARY

The United States District Court for the Northern District of Ohio considered Terrell Martin’s objections to a magistrate judge’s recommendation denying his 28 U.S.C. § 2254 habeas petition. The court rejected his speedy-trial and ineffective-assistance claims, overruled the objections, adopted the Report and Recommendation, dismissed the petition on the merits, and declined to issue a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the Northern District of Ohio, Eastern Division
WRITING FOR THE COURT	David A. Ruiz
JURISDICTION	United States District Court for the Northern District of Ohio, Eastern Division
DECIDED	March 31, 2026
DOCKET	4:23-cv-00388
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought federal habeas relief under 28 U.S.C. § 2254. After a magistrate judge recommended denial of the petition, Petitioner filed objections. The district court conducted de novo review of the properly objected-to portions, overruled the objections, adopted the Report and Recommendation, dismissed the petition on the merits, and denied a certificate of appealability.
STANDARD OF REVIEW	Under Federal Rule of Civil Procedure 72(b)(3) and Local Rule 72.3(b), the district court conducts de novo review of portions of a magistrate judge's report and recommendation to which a proper objection is made. Under the Antiterrorism and Effective Death Penalty Act, habeas relief is unavailable unless the state-court decision was contrary to, or involved an unreasonable application of, clearly established federal law, or was based on an unreasonable

	determination of the facts. General objections have the same effect as a failure to object.
PRECEDENTIAL VALUE	unknown
PARTIES	Terrell Martin v. Warden, David W. Gray

TOPICS

federal habeas corpus speedy trial ineffective assistance due process post-conviction relief

PRACTICE AREAS

federal habeas corpus criminal procedure constitutional law

QUESTIONS PRESENTED

1. Whether the state courts' rejection of Martin's Sixth Amendment speedy-trial claim was contrary to or an unreasonable application of federal law.
2. Whether Martin procedurally defaulted his constitutional challenge to Ohio Revised Code § 2945.71(E).
3. Whether the alleged failure of counsel to respond to discovery requests or object to unrecorded proceedings constituted ineffective assistance of counsel.
4. Whether Martin was entitled to a certificate of appealability.

HOLDINGS

1. The district court must conduct de novo review of portions of a magistrate judge's Report and Recommendation to which a proper objection is made, while a general objection has the same effect as a failure to object.
2. Martin failed to establish a constitutional speedy-trial violation, and the state appellate court's rejection of that claim was not an unreasonable application of federal law.
3. Martin procedurally defaulted his constitutional challenge to Ohio Revised Code § 2945.71(E) by failing to raise it in the state trial court, and he did not show cause, prejudice, or actual innocence to excuse the default.
4. Martin failed to establish ineffective assistance of counsel based on counsel's alleged failure to respond to discovery requests or object to the trial court's failure to record all proceedings.
5. Martin was not entitled to a certificate of appealability because he failed to make a substantial showing of the denial of a constitutional right.

KEY QUOTATIONS

“in light of the seriousness of the charges, the multitude of motions and objections and requests and delays from the defense during the run-up to trial that ended only by Martin’s no contest plea, and especially the absence of any indication of prejudice, the state appellate court’s decision i[s] not an unreasonable application of federal law.” (PageID 718)

“was so lacking in justification that there was an error well understood and comprehended in existing law beyond any possibility for fair-minded disagreement.” (PageID 735)

“The Petition for a Writ of Habeas Corpus (R. 1) is hereby DISMISSED on the merits.” (Conclusion)

FACTUAL BACKGROUND

Martin was indicted in 2017 on aggravated murder, aggravated burglary, kidnapping, weapons-under-disability, and tampering-with-evidence charges. Trial dates were continued repeatedly, primarily at Martin's request, and the trial court denied his speedy-trial motion. In March 2020, the State amended the aggravated-murder charge to murder, Martin entered a no-contest plea to three counts, the remaining counts were dismissed, and he received an aggregate negotiated sentence including 18 years to life. His state appellate and federal habeas claims challenged the delay, the interpretation of Ohio's speedy-trial statute, and counsel's performance.

PROCEDURAL HISTORY

Martin was indicted in Mahoning County, Ohio, entered a no-contest plea to amended charges after multiple continuances and pretrial proceedings, and was sentenced. The Ohio Seventh District Court of Appeals affirmed; the Ohio Supreme Court declined jurisdiction, and the state appellate court denied Martin's motion to reopen the appeal. Martin then filed this § 2254 petition asserting speedy-trial, due-process, and ineffective-assistance claims. The magistrate judge recommended denial, and the district court adopted that recommendation after reviewing Martin's objections.

DISPOSITION

dismissed

CASES CITED

- Howard v. Secretary of Health & Human Services, 932 F.2d 505, 509 (6th Cir. 1991)
- Austin v. Commissioner of Social Security, No. 1:19-cv-2380, 2021 WL 1540389, at *4 (N.D. Ohio Apr. 19, 2021)
- State v. Martin, 2021-Ohio-3163, 2021 WL 4171696, at *1 (Ohio Ct. App. Sept. 10, 2021)
- State v. Martin, 165 Ohio St. 3d 1503 (Jan. 18, 2022)
- State v. Martin, 166 Ohio St. 3d 1448 (Mar. 29, 2022)
- State v. Martin, 2022-Ohio-367, 2022 WL 389543 (Ohio Ct. App. Feb. 1, 2022)
- State v. Martin, 166 Ohio St. 3d 1498 (May 10, 2022)
- Barker v. Wingo, 407 U.S. 514 (1972)
- Harrington v. Richter, 562 U.S. 86, 103 (2011)
- Chappell v. Morgan, Case No. 4:15-cv-882, 2016 WL 8259330, at *13 n.10 (N.D. Ohio Nov. 30, 2016), report and recommendation adopted, 2017 WL 635475 (N.D. Ohio Feb. 16, 2017)
- Estelle v. McGuire, 502 U.S. 62, 68 (1991)

- Hyde v. Warden, Pickaway Corr. Inst., No. 2:14-cv-02725, 2016 WL 1594596, at *8 (S.D. Ohio Apr. 21, 2016)
- State v. Skorvanek, 2009-Ohio-3924, 2009 WL 2424114 (Ohio Ct. App. Aug. 10, 2009)
- Miller-El v. Cockrell, 537 U.S. 322, 327 (2003)

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