

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
NEW YORK

Joseph Sposito v. Christopher Miller

No. 9:22-CV-686 (AJB/TWD) (N.D.N.Y. Dec. 1, 2025) · No. 9:22-CV-686 (AJB/TWD) · Decided December 1, 2025

SUMMARY

The United States District Court for the Northern District of New York adopted a magistrate judge’s Report and Recommendation and denied and dismissed Joseph Sposito’s 28 U.S.C. § 2254 habeas petition. The court rejected his ineffective-assistance claims concerning waiver of a Huntley hearing and failure to consult or call expert witnesses, and denied a Certificate of Appealability.

CASE DETAILS

COURT	United States District Court for the Northern District of New York
WRITING FOR THE COURT	Anthony J. Brindisi
JURISDICTION	United States District Court for the Northern District of New York
DECIDED	December 1, 2025
DOCKET	9:22-CV-686 (AJB/TWD)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought federal habeas corpus relief under 28 U.S.C. § 2254 from his New York state-court convictions, challenging the effectiveness of trial counsel. After a magistrate judge recommended denial and dismissal, petitioner filed objections. The district court conducted de novo review, adopted the Report and Recommendation, denied and dismissed the petition, and denied a certificate of appealability.
STANDARD OF REVIEW	De novo review of objections to the magistrate judge's Report and Recommendation under 28 U.S.C. § 636(b)(1)(C), combined with the doubly deferential federal habeas standard applicable under 28 U.S.C. § 2254(d) and Strickland v. Washington when ineffective-assistance claims were adjudicated on the merits in state court.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Joseph Sposito v. Christopher Miller, Superintendent

TOPICS

federal habeas corpus

ineffective assistance

state post-conviction relief

standard of review

appellate procedure

PRACTICE AREAS

federal habeas corpus

post-conviction relief

criminal procedure

ineffective assistance

appellate procedure

QUESTIONS PRESENTED

1. Whether the state courts unreasonably rejected Sposito's ineffective-assistance claim based on trial counsel's waiver of a Huntley hearing.
2. Whether the state courts unreasonably rejected Sposito's ineffective-assistance claim based on trial counsel's failure to consult with or call expert witnesses.
3. Whether Sposito was entitled to a certificate of appealability based on the alleged strength of his ineffective-assistance claims, dissents in the state courts, and the New York Court of Appeals' grants of leave to appeal.

HOLDINGS

1. Sposito failed to show that the state courts unreasonably accepted trial counsel's waiver of a Huntley hearing, and he independently failed to establish Strickland prejudice.
2. Sposito failed to show that the New York courts unreasonably applied Strickland in concluding that counsel's decision not to consult with or call expert witnesses was a reasonable strategic choice, and he failed to establish prejudice.
3. No certificate of appealability should issue because Sposito failed to make a substantial showing that he was deprived of a federal constitutional right.

KEY QUOTATIONS

“Federal courts must guard against equating unreasonableness under Strickland with unreasonableness under § 2254(d).”

“Because he has not done so, and because neither of the state-court dissents offered a substantial basis on which to conclude otherwise, the R&R recommended that a Certificate of Appealability be denied.”

FACTUAL BACKGROUND

Sposito was convicted by jury verdict in Albany County of first-degree rape and first-degree criminal sexual act. His federal habeas claims challenged trial counsel's waiver of a Huntley hearing and counsel's decision not to consult with or call expert witnesses. The state post-conviction courts credited counsel's testimony that both decisions were strategic, and the federal court concluded that Sposito failed to establish either deficient performance or prejudice under the applicable deferential standards.

PROCEDURAL HISTORY

Sposito was convicted by a jury in Supreme Court, Albany County, of first-degree rape and first-degree criminal sexual act. He filed a § 2254 petition asserting ineffective assistance based on counsel's waiver of a Huntley hearing and failure to consult or call expert witnesses. Magistrate Judge Thérèse Wiley Dancks recommended denial and dismissal, concluding that the state courts reasonably rejected both claims under the deferential standards of Strickland and § 2254(d). The district court overruled Sposito's objections, adopted the recommendation, denied and dismissed the petition, and declined to issue a certificate of appealability.

DISPOSITION

dismissed

CASES CITED

- Knowles v. Mirzayance, 556 U.S. 111, 123 (2009)
- Harrington v. Richter, 562 U.S. 86, 105 (2011)
- Strickland v. Washington, 466 U.S. 668, 687 (1984)
- People v. Sposito, 193 A.D.3d 1236, 1245 (3d Dep't 2021) (Colangelo, J., dissenting)
- McCray v. Capra, 45 F.4th 634, 640 (2d Cir. 2022)
- Rodriguez v. Capra, 2023 WL 2366884, at *5 (S.D.N.Y. Mar. 6, 2023)