

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Randy Lee Scroggins v. Steve Smith

Scroggins v. Smith · No. 1:24-cv-00519-JLT-CDB (HC) · Decided October 14, 2025

SUMMARY

The document is a magistrate judge’s findings and recommendation in a state prisoner’s 28 U.S.C. § 2254 habeas action. It recommends denying Randy Lee Scroggins’s petition, which alleged that the admission of his wife’s subsequently stricken testimony violated the Confrontation Clause and due process, and recommends declining to issue a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	October 14, 2025
DOCKET	1:24-cv-00519-JLT-CDB (HC)
DISPOSITION	other
PROCEDURAL POSTURE	State prisoner petition for a writ of habeas corpus under 28 U.S.C. § 2254; the magistrate judge issued findings and a recommendation that the petition be denied and that a certificate of appealability not issue.
STANDARD OF REVIEW	Under AEDPA, relief is unavailable on a claim adjudicated on the merits unless the state-court decision was contrary to, or involved an unreasonable application of, clearly established federal law as determined by the Supreme Court, or was based on an unreasonable determination of the facts under 28 U.S.C. § 2254(d). State-court factual determinations receive the presumption of correctness under § 2254(e)(1). A certificate of appealability requires a substantial showing of the denial of a constitutional right.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Randy Lee Scroggins v. Steve Smith

TOPICS

- federal habeas corpus
- post-conviction relief
- sixth amendment
- due process
- criminal procedure

PRACTICE AREAS

federal habeas corpus

criminal procedure

constitutional law

post-conviction relief

evidence

QUESTIONS PRESENTED

1. Whether the state court's rejection of Petitioner's Confrontation Clause claim was contrary to, or an unreasonable application of, clearly established federal law where the prosecution elicited testimony from L.R. before she refused to continue, and the trial court then struck the testimony and instructed the jury to disregard it.
2. Whether the state court's rejection of Petitioner's due-process claim was contrary to, or an unreasonable application of, clearly established federal law where the jury heard L.R.'s subsequently stricken testimony and the prosecutor's questions.
3. Whether Petitioner made the substantial showing of the denial of a constitutional right required for a certificate of appealability.

HOLDINGS

1. The state appellate court reasonably rejected Petitioner's Confrontation Clause claim because the trial court struck L.R.'s testimony in its entirety, repeatedly instructed the jury not to consider it, and substantial independent evidence supported the convictions.
2. The state court reasonably rejected Petitioner's due-process claim because the stricken testimony and related questioning did not present the exceptional circumstances in which a curative instruction cannot remove prejudice.
3. Petitioner was not entitled to federal habeas relief because he failed to show that the state appellate court's decision was contrary to, or an unreasonable application of, clearly established federal law, or was based on an unreasonable determination of the facts.
4. A certificate of appealability should be denied because Petitioner did not make a substantial showing of the denial of a constitutional right.

KEY QUOTATIONS

"Striking the testimony was an appropriate remedy following L.R.'s refusal to continue." (at 18)

"The trial court eliminated any prejudice to Petitioner by striking L.R.'s testimony." (at 18)

"Ultimately, Petitioner has not shown that the state appellate court's rejection of his confrontation and due process claims was contrary to, or an unreasonable application of, clearly established federal law, or based on an unreasonable determination of the facts." (at 18)

FACTUAL BACKGROUND

Petitioner shot his wife, L.R., during an argument at their home; she suffered gunshot wounds to her arm and shoulder. Before testifying, L.R. stated that she did not want to testify against her husband, but the trial court incorrectly advised her that she could be jailed for refusing to testify. She then gave testimony that largely denied

or failed to recall prior statements implicating Petitioner in domestic violence, but after the court corrected its advisement, she refused to continue. The trial court struck all of her testimony and repeatedly instructed the jury to disregard it, while other witnesses provided evidence that Petitioner admitted shooting L.R. and that the parties had engaged in prior physical conflict.

PROCEDURAL HISTORY

A Tulare County Superior Court jury convicted Petitioner of attempted murder and related firearm, assault, domestic-violence, firearm-possession, and ammunition-possession offenses and sentenced him to 81 years to life. The California Court of Appeal affirmed the convictions but remanded for further sentencing proceedings, and the California Supreme Court summarily denied review. Petitioner then filed this federal habeas petition, asserting that the jury's receipt of his wife's subsequently stricken testimony violated the Confrontation Clause and due process. Respondent answered, Petitioner filed a traverse, and the magistrate judge recommended denial of the petition and denial of a certificate of appealability.

DISPOSITION

other

CASES CITED

- Wilson v. Sellers, 584 U.S. 122 (2018)
- Harrington v. Richter, 562 U.S. 86 (2011)
- Yarborough v. Alvarado, 541 U.S. 652 (2004)
- Mitchell v. Esparza, 540 U.S. 12 (2003)
- Brown v. Payton, 544 U.S. 133 (2005)
- Williams v. Taylor, 529 U.S. 362 (2000)
- Wood v. Allen, 558 U.S. 290 (2010)
- Marks v. Davis, 106 F.4th 941 (9th Cir. 2024)
- Brumfield v. Cain, 576 U.S. 305 (2015)
- People v. Shipe, 49 Cal. App. 3d 343 (1975)
- People v. Burciago, 81 Cal. App. 3d 151 (1978)
- People v. Smithey, 20 Cal. 4th 936 (1999)
- People v. Smith, 37 Cal. 4th 733 (2005)
- People v. Morgain, 177 Cal. App. 4th 454 (2009)
- People v. Sourisseau, 62 Cal. App. 2d 917 (1944)
- People v. Allen, 77 Cal. App. 3d 924 (1978)
- People v. Ozuna, 213 Cal. App. 2d 338 (1963)
- People v. Bentley, 131 Cal. App. 2d 687 (1955)
- People v. Navarrete, 181 Cal. App. 4th 828 (2010)
- Crawford v. Washington, 541 U.S. 36 (2004)

- Delaware v. Van Arsdall, 475 U.S. 673 (1986)
- Douglas v. Alabama, 380 U.S. 415 (1965)
- United States v. Case, 851 F. App'x 105 (9th Cir. 2021)
- United States v. Wilmore, 381 F.3d 868 (9th Cir. 2004)
- United States v. Seifert, 648 F.2d 557 (9th Cir. 1980)
- Weeks v. Angelone, 528 U.S. 225 (2000)
- Tennessee v. Street, 471 U.S. 409 (1985)
- United States v. Saelee, 51 F.4th 327 (9th Cir. 2022)
- Miller-El v. Cockrell, 537 U.S. 322 (2003)
- Slack v. McDaniel, 529 U.S. 473 (2000)
- Wilkerson v. Wheeler, 772 F.3d 834 (9th Cir. 2014)
- Baxter v. Sullivan, 923 F.2d 1391 (9th Cir. 1991)

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