

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
ALABAMA

Randal Bernard McCoy v. Warden Joseph H. Headly, et al.

McCoy · No. 4:24-cv-1672-CLM-GMB · Decided March 27, 2026

SUMMARY

The United States District Court for the Northern District of Alabama adopted the magistrate judge’s report and recommendation and dismissed with prejudice Randal Bernard McCoy’s 28 U.S.C. § 2254 habeas petition. The court rejected McCoy’s procedural-default, ineffective-assistance, sufficiency-of-the-evidence, evidentiary-hearing, and other objections, including challenges to trial counsel’s stipulation that he had COVID-19. The court also denied a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the Northern District of Alabama
WRITING FOR THE COURT	Corey L. Maze
JURISDICTION	United States District Court for the Northern District of Alabama
DECIDED	March 27, 2026
DOCKET	4:24-cv-1672-CLM-GMB
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought federal habeas relief under 28 U.S.C. § 2254 from an Alabama conviction and 25-year sentence. After the magistrate judge recommended dismissal with prejudice, petitioner objected. The district court overruled the objections, adopted the report and recommendation, dismissed the petition with prejudice, denied an evidentiary hearing, and declined to issue a certificate of appealability.
STANDARD OF REVIEW	Under 28 U.S.C. § 2254(d), federal habeas relief is unavailable unless the state-court decision was contrary to, or involved an unreasonable application of, clearly established Supreme Court precedent, or was based on an unreasonable determination of the facts. Procedurally defaulted claims generally cannot be reviewed absent cause and prejudice or a miscarriage-of-justice exception. Ineffective-assistance claims receive doubly deferential review. The court deferred to the jury's credibility determinations and weighing of the evidence.
PRECEDENTIAL VALUE	nonprecedential

PARTIES

Randal Bernard McCoy v. Warden Joseph H. Headly, et al.

TOPICS

federal habeas corpus

post-conviction relief

actual innocence

ineffective assistance

criminal procedure

PRACTICE AREAS

Federal habeas corpus

post-conviction relief

criminal procedure

constitutional law

QUESTIONS PRESENTED

1. Whether claims that were unexhausted or rejected by the Alabama courts on independent and adequate state-law grounds were procedurally defaulted.
2. Whether McCoy established actual innocence sufficient to overcome procedural default.
3. Whether the Alabama Court of Criminal Appeals' application of Alabama Rule of Appellate Procedure 28(a)(10) constituted a basis to excuse procedural default.
4. Whether trial counsel was constitutionally ineffective for stipulating that McCoy had COVID-19, failing to introduce medical evidence, and allegedly failing to prepare adequately for trial and discovery.
5. Whether the evidence was constitutionally sufficient to support McCoy's conviction.
6. Whether McCoy was entitled to an evidentiary hearing or a certificate of appealability.

HOLDINGS

1. McCoy's unexhausted claims and claims rejected by the Alabama Court of Criminal Appeals under independent and adequate state procedural grounds were procedurally defaulted and could not support federal habeas relief.
2. McCoy failed to establish actual innocence sufficient to invoke the miscarriage-of-justice exception to procedural default.
3. The Alabama Court of Criminal Appeals' alternative determination that several claims were waived under Rule 28(a)(10) was not manifestly unfair on the facts presented.
4. The state courts reasonably applied *Strickland v. Washington* and reasonably determined the facts in rejecting McCoy's claim that counsel was ineffective for stipulating that McCoy had COVID-19 and failing to introduce additional medical evidence.
5. McCoy failed to show that counsel's alleged deficiencies in trial preparation or discovery were objectively unreasonable or prejudicial.
6. The Alabama Court of Criminal Appeals reasonably applied the governing constitutional standard in rejecting McCoy's sufficiency-of-the-evidence challenge, and the federal court had to defer to the jury's credibility determinations and weighing of the evidence.
7. McCoy was not entitled to an evidentiary hearing because the facts necessary to resolve his claims were contained in the existing record.

8. McCoy was not entitled to a certificate of appealability because he did not make a substantial showing of the denial of a constitutional right.

KEY QUOTATIONS

“The court cannot say that every reasonable lawyer would have chosen to fight against McCoy having COVID, rather than accepting COVID and arguing its effects.”

“The court will enter a separate final order that carries out this ruling and closes this case.”

FACTUAL BACKGROUND

McCoy was convicted of assaulting officers with bodily fluids after an April 2020 incident in which he coughed, spit, or vomited on officers while repeatedly stating that he had COVID-19. Alabama law elevated the offense from a misdemeanor to a felony when the offender knew that he or she had a communicable disease, and McCoy received a 25-year sentence. At trial, defense counsel stipulated that McCoy had COVID-19 and argued that his symptoms were uncontrollable, but the jury convicted him. McCoy later challenged the stipulation, the sufficiency of the evidence, counsel's effectiveness, and numerous other matters in state and federal post-conviction proceedings.

PROCEDURAL HISTORY

McCoy was convicted in Alabama of assaulting officers with bodily fluids and received a 25-year sentence. He pursued state-court appellate and post-conviction proceedings, but some claims were unexhausted or procedurally defaulted under state procedural rules. He then filed a § 2254 petition in federal district court. The magistrate judge recommended dismissal, and the district court accepted that recommendation after reviewing McCoy's objections.

DISPOSITION

dismissed

CASES CITED

- Strickland v. Washington, 466 U.S. 668 (1984)
- Evans v. Secretary, Florida Department of Corrections, 699 F.3d 1249, 1268 (11th Cir. 2012)
- Dunn v. Reeves, 594 U.S. 731, 739 (2021)
- Johnson v. Alabama, 256 F.3d 1156, 1172 (11th Cir. 2001)
- Turner v. Crosby, 339 F.3d 1247, 1275 (11th Cir. 2003)
- Slack v. McDaniel, 529 U.S. 473, 484 (2000)
- Miller-El v. Cockrell, 537 U.S. 322, 336 (2003)

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