

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH
DAKOTA, SOUTHERN DIVISION

Soyars v. United States

Soyars · No. 4:25-CV-04242-RAL · Decided January 13, 2026

SUMMARY

The United States District Court for the District of South Dakota dismissed Paul Junior Soyars’s pro se motion under 28 U.S.C. § 2255 as untimely. The court held that Soyars knew or should have known of the career-offender enhancement and other asserted grounds before the one-year limitations period expired. The court alternatively concluded that the guideline-related claims did not establish a miscarriage of justice and declined to issue a Certificate of Appealability.

CASE DETAILS

COURT	United States District Court for the District of South Dakota, Southern Division
WRITING FOR THE COURT	Roberto A. Lange
JURISDICTION	United States District Court for the District of South Dakota, Southern Division
DECIDED	January 13, 2026
DOCKET	4:25-CV-04242-RAL
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner filed a pro se motion under 28 U.S.C. § 2255 to vacate, set aside, or correct his federal sentence. The district court screened the motion under Rule 4 of the Rules Governing Section 2255 Proceedings and dismissed it as untimely; it also concluded that the guideline claims were not cognizable and denied a certificate of appealability.
STANDARD OF REVIEW	Initial screening under Rule 4 of the Rules Governing Section 2255 Proceedings; dismissal is appropriate when it plainly appears from the motion and record that the movant is not entitled to relief.
PRECEDENTIAL VALUE	unpublished district court order; persuasive at most
PARTIES	Paul Junior Soyars v. United States of America

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Soyars's § 2255 motion was timely under the one-year limitation period in 28 U.S.C. § 2255(f), including the provision based on the date when supporting facts could have been discovered through due diligence.
2. Whether Soyars's guideline career-offender claims alleged a sentence sufficiently unlawful or constitutionally defective to support relief under § 2255.
3. Whether the advisory career-offender guideline's residual clause is void for vagueness under the Due Process Clause.
4. Whether Soyars was entitled to a certificate of appealability.

HOLDINGS

1. A petitioner relying on § 2255(f)(4) must show both the existence of a new fact and diligence in discovering it; Soyars did not satisfy that requirement because the record showed that he could have learned of his career-offender classification before the one-year limitations period expired.
2. Because Soyars did not appeal, his conviction became final fourteen days after entry of judgment, and the one-year period for filing a § 2255 motion expired on January 28, 2004.
3. Ordinary questions concerning guideline interpretation or calculation that do not result in a miscarriage of justice do not present a cognizable § 2255 claim.
4. The advisory Sentencing Guidelines, including the residual clause in U.S.S.G. § 4B1.2(a)(2), are not subject to a vagueness challenge under the Due Process Clause.
5. A certificate of appealability should not issue because Soyars failed to make a substantial showing of the denial of a constitutional right.

KEY QUOTATIONS

“A petitioner relying on the statute of limitation set forth in 28 U.S.C. § 2255((4) “must show the existence of a new fact, while also demonstrating [that he] acted with diligence to discover the new fact.””

“A duly diligent person in Soyars’s circumstances would have discovered that the U.S. Probation Office had determined that he was a career offender well before the one-year statute of limitation for filing a § 2255 motion expired on January 28, 2004.”

“Unlike the ACCA, however, the advisory Guidelines do not fix the permissible range of sentences. To the contrary, they merely guide the exercise of a court’s discretion in choosing an appropriate sentence within the statutory range.”

FACTUAL BACKGROUND

Soyars pleaded guilty in 2002 to one count of threatening the President after mailing a letter to President George W. Bush containing a threatening statement. His presentence investigation report classified him as a career offender, and his counsel's sentencing memorandum and the sentencing hearing discussed that classification. Judge Lawrence L. Piersol sentenced Soyars to forty-two months in January 2003, and Soyars did not appeal. Soyars filed the present § 2255 motion in December 2025, asserting that he lacked the predicate convictions for career-offender treatment, that counsel was ineffective, that he was actually innocent because the letter was a joke, and that the career-offender guideline's residual clause was unconstitutionally vague.

PROCEDURAL HISTORY

Soyars pleaded guilty in the District of South Dakota to threatening the President in violation of 18 U.S.C. § 871(a) and was sentenced to forty-two months of imprisonment in January 2003. He did not appeal, and his conviction became final fourteen days after judgment. He filed the present § 2255 motion in December 2025, asserting claims concerning his career-offender classification, ineffective assistance, actual innocence, and vagueness. The court dismissed the motion on initial screening as time-barred and alternatively denied relief on the merits of the guideline-related claims.

DISPOSITION

dismissed

CASES CITED

- United States v. Johnson, United States v. Johnson, 457 U.S. 537, 543 n.8 (1982)
- Clay v. United States, 537 U.S. 522, 525, 527 (2003)
- Anjulo-Lopez v. United States, 541 F.3d 814, 817 (8th Cir. 2008)
- E.L.R.E. v. United States, 453 F.3d 1094, 1097 (8th Cir. 2006)
- Johnson v. United States, 544 U.S. 295, 308 (2005)
- Sun Bear v. United States, 644 F.3d 700, 704-06 (8th Cir. 2011) (en banc)
- Auman v. United States, 67 F.3d 157, 161 (8th Cir. 1995)
- Johnson v. United States, 576 U.S. 591 (2015)
- Welch v. United States, 578 U.S. 120 (2016)
- Beckles v. United States, 580 U.S. 256, 263 (2017)
- Beasley v. United States, No. 1:16CV217, 2019 WL 3083341, at *2 (E.D. Mo. July 15, 2019)

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