

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
WISCONSIN

Shawn Demetrius Jones v. Jennifer Clauy

Jones · No. 26-CV-377 · Decided March 17, 2026

SUMMARY

The United States District Court for the Eastern District of Wisconsin orders Shawn Demetrius Jones to show cause why his habeas petition should not be dismissed for failure to exhaust state court remedies. The court also identifies the Wisconsin Court of Appeals’ dismissal of Jones’s appeal for noncompliance with court rules as a potential adequate and independent state-law ground barring relief. Jones is given 28 days to respond, and the respondent may file a response thereafter.

CASE DETAILS

COURT	United States District Court for the Eastern District of Wisconsin
WRITING FOR THE COURT	Byron B. Conway
JURISDICTION	United States District Court for the Eastern District of Wisconsin
DECIDED	March 17, 2026
DOCKET	26-CV-377
DISPOSITION	other
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2254; the district court issued an order requiring the petitioner to show cause why the action should not be dismissed for failure to exhaust state remedies or on adequate and independent state-law grounds.
STANDARD OF REVIEW	Under Rule 4 governing § 2254 cases, the court must dismiss a petition if it plainly appears from the petition and attached exhibits that the petitioner is not entitled to relief; the court also applied the exhaustion requirement of 28 U.S.C. § 2254(b)(1)(A).
PRECEDENTIAL VALUE	Unpublished district-court order; limited persuasive value.
PARTIES	Shawn Demetrius Jones v. Jennifer Clauy

TOPICS

- federal habeas corpus
- post-conviction relief
- state post-conviction relief
- pleadings
- appellate procedure

PRACTICE AREAS

Federal habeas corpus

Post-conviction relief

Appellate procedure

QUESTIONS PRESENTED

1. Whether the § 2254 petition should be dismissed or otherwise rejected because Jones failed to exhaust available state-court remedies.
2. Whether Jones should be given an opportunity to show that an exception excuses his failure to present his claims to the Wisconsin Supreme Court.
3. Whether the dismissal of Jones's state appeal for failure to comply with court rules may constitute an adequate and independent state-law ground barring federal habeas relief.

HOLDINGS

1. The petition was not properly before the court because Jones acknowledged that he had not exhausted his state-court remedies, and he had not shown that an exception to the exhaustion requirement applied.
2. The court afforded Jones 28 days to show cause why the petition should not be dismissed and to demonstrate that an exception to the exhaustion doctrine excused his failure to seek review in the Wisconsin Supreme Court.

KEY QUOTATIONS

“Accordingly, the court must reach the same conclusion as Chief Judge Pepper – Jones’s petition is not properly before the court because he has not exhausted his state court remedies.”

“IT IS THEREFORE ORDERED that, if Jones wishes to continue to pursue this action, within 28 days of this order Jones shall show cause why his petition and this action should not be dismissed pursuant to 28 U.S.C. § 2254(b)(1)(A) for his failure to exhaust his state court remedies or alternatively on the basis that the Wisconsin Court of Appeals denied his appeal for adequate and independent state law grounds.”

FACTUAL BACKGROUND

Jones is incarcerated pursuant to a Wisconsin Circuit Court judgment and challenges the extension of his extended-supervision period beyond its scheduled expiration date. He asserts that the extension resulted from tolling based on his having absconded. His appeal in the Wisconsin Court of Appeals was dismissed for failure to comply with court rules, and he did not seek review in the Wisconsin Supreme Court. Jones acknowledged that he had not exhausted his state-court remedies but did not explain why an exception to exhaustion should apply.

PROCEDURAL HISTORY

Jones, who is incarcerated under a Wisconsin Circuit Court judgment, filed a federal habeas petition challenging the extension of his extended-supervision period after he absconded. In an earlier federal habeas action, Chief Judge Pamela Pepper dismissed a similar petition for failure to exhaust state remedies while Jones's state appeal was pending. The Wisconsin Court of Appeals later dismissed Jones's appeal for noncompliance with its rules, and Jones did not seek review in the Wisconsin Supreme Court. The court therefore ordered Jones to show cause

within 28 days why the present action should not be dismissed, while directing service on the respondent and permitting a response.

DISPOSITION

other

CASES CITED

- Jones v. Johnson, No. 25-cv-460-pp, 2025 U.S. Dist. LEXIS 179934 (E.D. Wis. Sept. 15, 2025)
- Woodford v. Ngo, 548 U.S. 81, 92, 126 S. Ct. 2378, 165 L. Ed. 2d 368 (2006)
- O’Sullivan v. Boerckel, 526 U.S. 838, 845 (1999)
- Anderson v. Gierach, No. 23-CV-626-SCD, 2024 U.S. Dist. LEXIS 93162, at *5 (E.D. Wis. May 23, 2024)
- Terry v. Symdon, No. 14-CV-321, 2014 U.S. Dist. LEXIS 104054, at *9 (E.D. Wis. July 29, 2014)
- Flowers v. Avila, No. 13-cv-701-wmc, 2013 U.S. Dist. LEXIS 166081, at *11 (W.D. Wis. Nov. 22, 2013)

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