

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MAINE

Ross Adams v. State of Maine

Adams · No. 1:25-cv-00246-LEW · Decided April 13, 2026

SUMMARY

A United States District Court for the District of Maine magistrate judge recommends dismissal of Ross Adams’s 28 U.S.C. § 2254 petition challenging his Maine conviction for unlawful sexual contact of a child. The recommended decision rejects his ineffective-assistance claims concerning witnesses, expert testimony, physical evidence, and prosecutorial comments, and rejects or finds procedurally defaulted his remaining claims. It also recommends denying an evidentiary hearing and a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the District of Maine
WRITING FOR THE COURT	John C. Nivison
JURISDICTION	United States District Court for the District of Maine
DECIDED	April 13, 2026
DOCKET	1:25-cv-00246-LEW
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner's 28 U.S.C. § 2254 habeas petition challenged his state conviction and asserted ineffective assistance of trial and appellate counsel, a Confrontation Clause violation, and related claims. The magistrate judge issued a recommended decision recommending dismissal of the petition and denial of a certificate of appealability.
STANDARD OF REVIEW	Under 28 U.S.C. § 2254(d), federal habeas relief on claims adjudicated on the merits is unavailable unless the state-court decision was contrary to, or an unreasonable application of, clearly established Supreme Court law, or was based on an unreasonable determination of the facts. Procedurally defaulted claims are generally barred absent cause and prejudice or a fundamental miscarriage of justice. Ineffective-assistance claims are evaluated under Strickland v. Washington. The recommended decision also applied the limitation on evidentiary development in 28 U.S.C. § 2254(e)(2).
PRECEDENTIAL VALUE	unpublished recommended decision

TOPICS

federal habeas corpus

post-conviction relief

ineffective assistance

procedural due process

appellate procedure

PRACTICE AREAS

Federal habeas corpus

post-conviction relief

criminal procedure

constitutional law

ineffective assistance of counsel

QUESTIONS PRESENTED

1. Whether admission of the victim's recorded forensic interview violated the Confrontation Clause because the victim had an imperfect memory at trial.
2. Whether trial and appellate counsel were ineffective for failing to investigate or present additional character, exculpatory, expert, or physical-examination evidence.
3. Whether counsel was ineffective for failing to object to allegedly improper prosecutorial comments and references to unfavorable allegations.
4. Whether the remaining claims were procedurally defaulted because they were not fairly presented through Maine's discretionary review process.
5. Whether Adams was entitled to an evidentiary hearing or a certificate of appealability.

HOLDINGS

1. The state courts' treatment of the victim's recorded forensic interview was not contrary to or an unreasonable application of clearly established Supreme Court precedent. Because the victim appeared and testified at trial, her imperfect memory did not establish a Confrontation Clause violation, and the record did not show that cross-examination was unreasonably restricted.
2. Adams failed to show that the state court unreasonably applied Strickland when it rejected his claims based on counsel's failure to call additional character, exculpatory, or expert witnesses.
3. Adams failed to establish ineffective assistance based on counsel's decision not to obtain or introduce the victim's possible physical-examination results.
4. Any due process claim based on suppression, destruction, or nonpreservation of the physical-examination evidence would fail because Adams did not show that the evidence was favorable, that the State possessed or suppressed it, or that its absence caused prejudice.
5. Claims not included in Adams's request for discretionary review by the Maine Law Court were procedurally defaulted, and Adams failed to establish cause, prejudice, or actual innocence sufficient to excuse the defaults.

KEY QUOTATIONS

“A person in custody pursuant to the judgment of a state court may apply to a federal district court for a writ of habeas corpus “only on the ground that [the petitioner] is in custody in violation of the Constitution or laws or treaties of the United States.””

“In sum, Petitioner has failed to establish that the state court’s decisions regarding the victim’s recorded recollection were contrary to or an unreasonable application of any Supreme Court case.”

“A fair-minded jurist could reasonably conclude that counsel made a reasonable tactical decision regarding the potential benefits of convincing the jury that the father sought to denigrate Petitioner to the victim.”

FACTUAL BACKGROUND

Adams was convicted after a jury trial based primarily on testimony from an eleven-year-old victim, the victim's mother, and the victim's father, together with portions of a recorded forensic interview admitted as a past recollection recorded. The victim alleged that Adams had touched her genitals on multiple occasions and digitally penetrated her during one incident. Adams's defense challenged inconsistencies in the victim's accounts, the father's possible custody-related motive, the absence of physical evidence, and the reliability of the investigation.

PROCEDURAL HISTORY

Adams was convicted by a Maine jury of unlawful sexual contact of a child and received a seventeen-year sentence, with all but ten years suspended and ten years of probation. The Maine Law Court affirmed his conviction in 2019. After the state trial court denied postconviction relief in July 2024, the Law Court denied discretionary review in February 2025. Adams then filed this federal § 2254 petition.

DISPOSITION

dismissed

CASES CITED

- State v. Adams, 2019 ME 132, 214 A.3d 496
- Baldwin v. Reese, 541 U.S. 27, 29 (2004)
- Coleman v. Thompson, 501 U.S. 722, 750, 752–55 (1991)
- Schlup v. Delo, 513 U.S. 298, 327 (1995)
- Strickland v. Washington, 466 U.S. 668, 688, 694 (1984)
- Rivera v. Thompson, 879 F.3d 7, 12 (1st Cir. 2018)
- Pennsylvania v. Finley, 481 U.S. 551, 555 (1987)
- Martinez v. Ryan, 566 U.S. 1, 14–16 (2012)
- Wilson v. Sellers, 584 U.S. 122, 125–26 (2018)
- Nevada v. Jackson, 569 U.S. 505, 508–09 (2013)
- Cullen v. Pinholster, 563 U.S. 170, 181 (2011)
- Shinn v. Ramirez, 596 U.S. 366, 381–82 (2022)

- Crawford v. Washington, 541 U.S. 36, 53–54, 59 n.9 (2004)
- Olden v. Kentucky, 488 U.S. 227, 231 (1988)
- Delaware v. Van Arsdall, 475 U.S. 673, 679 (1986)
- United States v. Owens, 484 U.S. 554, 557–60 (1988)
- Brady v. Maryland, 373 U.S. 83 (1963)
- Strickler v. Greene, 527 U.S. 263, 281–82 (1999)
- California v. Trombetta, 467 U.S. 479, 486–89 (1984)

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