

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Timothy Eric Buford v. Raybon Johnson

Buford v. Johnson · No. 5:22-cv-00026-FLA (SK) · Decided September 30, 2025

SUMMARY

The United States District Court for the Central District of California accepted a Report and Recommendation recommending denial of Timothy Eric Buford’s 28 U.S.C. § 2254 habeas petition. The court rejected claims concerning allegedly false firearm evidence, Brady violations, self-representation, ineffective assistance and conflicts of counsel, Batson, evidentiary and instructional rulings, involuntary statements, prosecutorial misconduct, and sufficiency of the evidence. The court also denied related motions and ordered the action dismissed with prejudice.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Fernando L. Aenlle-Rocha
JURISDICTION	United States District Court for the Central District of California
DECIDED	September 30, 2025
DOCKET	5:22-cv-00026-FLA (SK)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought federal habeas relief under 28 U.S.C. § 2254. The district court reviewed and accepted a magistrate judge's Report and Recommendation, conducted de novo review of the portions to which petitioner objected, denied the petition and related motions, and ordered the action dismissed with prejudice.
STANDARD OF REVIEW	The district court conducted de novo review of the portions of the Report and Recommendation to which objections were made. The court applied the governing federal habeas standards to petitioner's constitutional claims, including the Jackson, Strickland, Batson, Napue, and Brady standards.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status is unknown in the supplied metadata.
PARTIES	Timothy Eric Buford v. Raybon Johnson

TOPICS

federal habeas corpus

post-conviction relief

ineffective assistance

right to counsel

jury selection

PRACTICE AREAS

Federal habeas corpus

criminal procedure

constitutional law

post-conviction relief

QUESTIONS PRESENTED

1. Whether Buford was entitled to habeas relief based on allegedly false and material firearm evidence and testimony under *Napue v. Illinois*.
2. Whether the prosecution violated *Brady v. Maryland* by suppressing alleged false firearm evidence and information about the victim's history as a witness.
3. Whether termination of Buford's self-representation status and reappointment of counsel violated *Faretta v. California*.
4. Whether trial, preliminary-hearing, and appellate counsel were ineffective under *Strickland v. Washington*.
5. Whether Buford was denied conflict-free counsel because of an actual conflict or irreconcilable conflict with his attorneys.
6. Whether the prosecutor discriminatorily struck an African American prospective juror in violation of *Batson v. Kentucky*.
7. Whether restrictions on impeachment evidence concerning the value of the stolen guitar violated the Confrontation Clause.
8. Whether exclusion or restriction of proposed witness testimony violated Buford's right to present a defense.
9. Whether Buford's statements to police were involuntary.
10. Whether the jury instructions were misleading or otherwise constitutionally erroneous.
11. Whether the evidence was sufficient to support Buford's burglary conviction under *Jackson v. Virginia*.
12. Whether Buford's challenge to California's Three Strikes Law was cognizable in federal habeas proceedings.
13. Whether the prosecutor committed misconduct by displaying the state seal during closing argument.
14. Whether the district court should permit a reply, authorize discovery, or conduct an evidentiary hearing.

HOLDINGS

1. Buford was not entitled to habeas relief because he failed to show that the firearm evidence was false or material.
2. Buford failed to establish a *Brady* violation.
3. The trial court did not violate Buford's right to self-representation by terminating his pro se status and reappointing counsel.

4. Buford failed to establish ineffective assistance of counsel under Strickland.
5. Buford failed to show an actual conflict of interest or an irreconcilable conflict with counsel.
6. Buford failed to establish a prima facie case of purposeful discrimination in the strike of the African American prospective juror.
7. Restriction of evidence concerning the value of the stolen guitar did not establish a Confrontation Clause violation.
8. Buford failed to show that exclusion of the proposed witness testimony violated his right to present a defense.
9. Buford failed to show that his incriminating statements were involuntary.
10. Buford failed to establish instructional error.
11. The evidence was sufficient for a rational jury to find Buford guilty of burglary.
12. Buford's claim that his sentence fell outside the spirit of California's Three Strikes Law was not cognizable in federal habeas proceedings because it presented a state-law issue.
13. Displaying the state seal during closing argument did not establish prosecutorial misconduct warranting habeas relief.
14. The court denied discovery and an evidentiary hearing because Buford did not show colorable entitlement to relief and the existing record was sufficient to resolve the claims.

KEY QUOTATIONS

"The right to self-representation 'cannot be 'a license not to comply with relevant rules of procedural and substantive law,' and a trial court may terminate self-representation where a defendant 'deliberately engages in serious and obstructionist misconduct.'" (at 1-2)

"If the defendant fails to establish a prima facie case, the burden does not shift to the prosecution, and the prosecutor is not required to offer an explanation for the challenge." (at 3)

"When state court record 'refutes the applicant's factual allegations or otherwise precludes habeas relief, a district court is not required to hold an evidentiary hearing.'" (at 6)

"It is axiomatic that when issues can be resolved with reference to the state court record, an evidentiary hearing becomes nothing more than a futile exercise." (at 6)

FACTUAL BACKGROUND

Buford was convicted of burglary in California state court after a trial involving disputed firearm evidence, testimony concerning the victim and the victim's roommate, jury selection, counsel-representation issues, police statements, and jury instructions. The jury did not reach a unanimous verdict on a firearm allegation, but it returned a guilty verdict on burglary. Buford later sought federal habeas relief, asserting numerous constitutional, ineffective-assistance, prosecutorial-misconduct, evidentiary, jury-selection, and sufficiency-of-the-evidence claims.

PROCEDURAL HISTORY

A magistrate judge recommended denying Buford's habeas petition and dismissing the action with prejudice. Buford filed objections, an application to file a reply, and a motion for discovery and/or an evidentiary hearing. The district court considered the objections, accepted the Report and Recommendation, denied the petition and motions, and directed entry of judgment dismissing the action with prejudice.

DISPOSITION

dismissed

CASES CITED

- Napue v. Illinois, 360 U.S. 264 (1969)
- Brady v. Maryland, 373 U.S. 83 (1963)
- Faretta v. California, 422 U.S. 806 (1975)
- Cooks v. Newland, 395 F.3d 1077, 1080 (9th Cir.)
- United States v. Bergman, 813 F.2d 1027, 1030 (9th Cir. 1987)
- Strickland v. Washington, 466 U.S. 668 (1984)
- Juan H. v. Allen, 408 F.3d 1262, 1273 (9th Cir.)
- Wilson v. Henry, 185 F.3d 986, 990 (9th Cir.)
- Clark v. Chappell, 936 F.3d 944, 985 (9th Cir.)
- Batson v. Kentucky, 476 U.S. 79 (1986)
- United States v. Hernandez-Quintania, 874 F.3d 1123, 1129 (9th Cir.)
- Cooperwood v. Cambra, 245 F.3d 1042, 1045, 1048 (9th Cir.)
- Balbuena v. Sullivan, 980 F.3d 619, 629 (9th Cir. 2020)
- United States v. Coleman, 208 F.3d 786, 791 (9th Cir.)
- United States v. Martin, 781 F.2d 671, 674 (9th Cir.)
- United States v. Wagner, 834 F.2d 1474, 1483 (9th Cir.)
- Jackson v. Virginia, 443 U.S. 307 (1979)
- Stenson v. Lambert, 504 F.3d 873, 886 (9th Cir.)
- Rich v. Calderon, 187 F.3d 1064, 1068 (9th Cir.)
- Schiro v. Landrigan, 550 U.S. 465, 474 (2007)
- Totten v. Merkle, 137 F.3d 1172, 1176 (9th Cir.)