

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
ALABAMA

Santangelo Funderburg v. Talladega County

Funderburg v. Talladega County · No. 2:25-cv-773-RAH-SMD · Decided April 3, 2026

SUMMARY

The United States District Court for the Middle District of Alabama denied Santangelo Funderburg’s petition for a writ of habeas corpus under 28 U.S.C. § 2254. The court held that the petition was barred by AEDPA’s one-year statute of limitations and that statutory tolling, equitable tolling, and the actual-innocence exception did not apply. The case was dismissed with prejudice without an evidentiary hearing.

CASE DETAILS

COURT	United States District Court for the Middle District of Alabama
JURISDICTION	United States District Court for the Middle District of Alabama
DECIDED	April 3, 2026
DOCKET	2:25-cv-773-RAH-SMD
DISPOSITION	dismissed
PROCEDURAL POSTURE	A state prisoner filed a petition styled as a petition for writ of mandamus under 28 U.S.C. § 1361. The district court construed it as a petition for writ of habeas corpus under 28 U.S.C. § 2254, ordered petitioner to show cause why it should not be dismissed as untimely, and dismissed it with prejudice without an evidentiary hearing.
STANDARD OF REVIEW	The court applied AEDPA's one-year statute of limitations and the standards governing statutory tolling, equitable tolling, and the actual-innocence fundamental-miscarriage-of-justice exception.
PRECEDENTIAL VALUE	Unknown
PARTIES	Santangelo Funderburg v. Talladega County

TOPICS

- federal habeas corpus
- post-conviction relief
- actual innocence
- successive petitions
- criminal procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Funderburg's § 2254 petition was barred by AEDPA's one-year statute of limitations.
2. Whether statutory tolling under 28 U.S.C. § 2244(d)(2) or any alternative limitation-period provision under § 2244(d)(1)(B)-(D) rendered the petition timely.
3. Whether equitable tolling applied based on Funderburg's alleged limited access to legal materials and assistance while incarcerated.
4. Whether Funderburg established actual innocence sufficient to invoke the fundamental-miscarriage-of-justice exception to the time bar.

HOLDINGS

1. Funderburg's § 2254 petition, filed on September 25, 2025, was untimely under AEDPA's one-year limitation period because his state post-conviction proceedings had become final nearly a decade earlier.
2. Funderburg was not entitled to statutory tolling because his Rule 32 petition and motion for reconsideration had concluded years before he filed the federal petition, and he identified no applicable alternative triggering circumstance under § 2244(d)(1)(B)-(D).
3. Equitable tolling did not apply because Funderburg's alleged limited access to legal materials and assistance while incarcerated did not constitute an extraordinary circumstance preventing timely filing.
4. Funderburg failed to establish actual innocence sufficient to overcome AEDPA's time bar because he offered no new reliable exculpatory evidence and his argument asserted, at most, legal insufficiency or a lesser degree of culpability rather than factual innocence.

KEY QUOTATIONS

“The limitation period in federal habeas proceedings may be equitably tolled “when a movant untimely files because of extraordinary circumstances that are both beyond his control and unavoidable with diligence.””
(at 4)

“To be credible, a claim of actual innocence must be based on reliable evidence not presented at trial.” (at 5)

“Actual innocence generally means “factual innocence, not mere legal insufficiency.”” (at 6)

FACTUAL BACKGROUND

On September 24, 2013, Funderburg pleaded guilty in Alabama state court to first-degree robbery. The state court sentenced him to 186 months in prison. His Rule 32 post-conviction petition and subsequent motion for reconsideration were resolved by 2015. In 2025, he sought federal relief, arguing that the facts supported second-degree rather than first-degree robbery and requesting a sentence equivalent to his codefendant's and release from incarceration and parole.

PROCEDURAL HISTORY

Funderburg pleaded guilty to first-degree robbery in the Circuit Court of Talladega County, Alabama, and was sentenced to 186 months' imprisonment. His Rule 32 petition was denied by the state trial court and affirmed on appeal, and a later motion for reconsideration was denied. He filed the federal petition on September 25, 2025; after an order to show cause, he responded on March 13, 2026. The district court denied the petition as time-barred and dismissed it with prejudice.

DISPOSITION

dismissed

CASES CITED

- Horne v. Potter, 392 F. App'x 800, 802 (11th Cir. 2010)
- Sandvik v. United States, 177 F.3d 1269, 1271 (11th Cir. 1999)
- Holland v. Florida, 560 U.S. 631, 649 (2010)
- San Martin v. McNeil, 633 F.3d 1257, 1268 (11th Cir. 2011)
- Hutchinson v. Florida, 677 F.3d 1097, 1099 (11th Cir. 2012)
- Dodd v. United States, 365 F.3d 1273, 1282-83 (11th Cir. 2004)
- Akins v. United States, 204 F.3d 1086 (11th Cir. 2000)
- Miller v. Florida, 307 F. App'x 366, 367-68 (11th Cir. 2009)
- Carruth v. Comm'r, Ala. Dep't of Corr., 93 F.4th 1338, 1355 (11th Cir. 2024)
- Schlup v. Delo, 513 U.S. 298, 324, 327 (1995)
- Calderon v. Thompson, 523 U.S. 538, 559 (1998)
- Bousley v. United States, 523 U.S. 614, 623 (1998)
- Cone v. Corcoran State Prison Warden, No. 5:24-cv-02055, 2025 WL 1698699, at *6 (C.D. Cal. Apr. 30, 2025)
- Ceja-Vargas v. United States, No. 4:16cv594, 2019 WL 3886438, at *1 (E.D. Tex. Aug. 19, 2019)