

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO, EASTERN DIVISION

Terrell Wynn v. George Frederick

No. 3:25-CV-2557 (N.D. Ohio Jan. 21, 2026) · No. 3:25-CV-2557 · Decided January 21, 2026

SUMMARY

The United States District Court for the Northern District of Ohio held that Terrell Wynn’s 28 U.S.C. § 2254 petition was a second or successive habeas application challenging his 2018 rape convictions and sentences. Because Wynn’s prior habeas petition had been dismissed on the merits and he lacked authorization from the Sixth Circuit, the court concluded that it lacked jurisdiction to consider the petition. The court transferred the petition to the United States Court of Appeals for the Sixth Circuit for authorization.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                       |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Northern District of Ohio, Eastern Division                                                                                                                                                                                                                                      |
| WRITING FOR THE COURT | Benita Y. Pearson                                                                                                                                                                                                                                                                                                     |
| JURISDICTION          | United States District Court for the Northern District of Ohio, Eastern Division                                                                                                                                                                                                                                      |
| DECIDED               | January 21, 2026                                                                                                                                                                                                                                                                                                      |
| DOCKET                | 3:25-CV-2557                                                                                                                                                                                                                                                                                                          |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                                 |
| PROCEDURAL POSTURE    | Petitioner filed a second or successive petition for a writ of habeas corpus under 28 U.S.C. § 2254. The district court determined that it lacked jurisdiction to review the petition without authorization from the United States Court of Appeals for the Sixth Circuit and transferred the petition to that court. |
| PRECEDENTIAL VALUE    | Unpublished district court memorandum opinion and order; generally nonprecedential.                                                                                                                                                                                                                                   |
| PARTIES               | Terrell Wynn v. George Frederick                                                                                                                                                                                                                                                                                      |

TOPICS

- federal habeas corpus
- successive petitions
- subject matter jurisdiction
- appellate procedure

## PRACTICE AREAS

federal habeas corpus

post-conviction relief

appellate procedure

subject matter jurisdiction

## QUESTIONS PRESENTED

1. Whether Wynn's § 2254 petition challenging the same convictions and sentences as his prior petition was a second or successive habeas petition.
2. Whether the district court had jurisdiction to review the petition absent authorization from the Sixth Circuit.
3. Whether the petition should be transferred to the Sixth Circuit for authorization.

## HOLDINGS

1. A habeas petition challenging the same conviction or sentence as a prior petition dismissed on the merits is a second or successive petition.
2. A district court lacks jurisdiction to review a second or successive § 2254 petition unless the appropriate court of appeals first authorizes the filing.
3. The petition must be transferred to the United States Court of Appeals for the Sixth Circuit for authorization as a second or successive petition.

## KEY QUOTATIONS

*“Without circuit authorization, a district court lacks jurisdiction to review a successive habeas petition and must transfer the case up the Article III ladder.” (Law)*

*“Terrell Wynn’s Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2254 (ECF No. 1) is hereby transferred to the United States Court of Appeals for the Sixth Circuit for authorization as a second or successive petition.” (Conclusion)*

## FACTUAL BACKGROUND

Wynn was convicted in Ohio state court in 2018 on four rape counts and sentenced to four consecutive ten-year terms, totaling forty years. He remains incarcerated in Ohio. In the present habeas petition, he challenged the proportionality of his consecutive sentences, the manifest weight of the evidence, and the admission of prior-bad-acts evidence, while also seeking to reopen his direct appeal or obtain concurrent sentences.

## PROCEDURAL HISTORY

Wynn was convicted in Ohio state court in 2018 of four counts of rape and received consecutive ten-year sentences totaling forty years. He filed a prior § 2254 petition in 2021, which the Northern District of Ohio dismissed with prejudice as procedurally defaulted and non-cognizable, and the Sixth Circuit rejected his appeal. Wynn filed the present petition on November 24, 2025, challenging the same convictions and sentences. The district court held that the petition was second or successive and transferred it to the Sixth Circuit for authorization.

## DISPOSITION

other

## REMAND INSTRUCTIONS

The petition was transferred to the United States Court of Appeals for the Sixth Circuit for authorization as a second or successive petition. No remand to the district court was ordered.

## CASES CITED

- Wynn v. Fender, No. 3:21-CV-2405 (N.D. Ohio filed Dec. 26, 2021)
- In re Page, 179 F.3d 1024, 1025 (7th Cir. 1999)
- Stewart v. Martinez-Villareal, 523 U.S. 637, 643 (1998)
- In re Sims, 111 F.3d 45, 47 (6th Cir. 1997)
- Slack v. McDaniel, 529 U.S. 473, 485-86 (2000)
- In re Cook, 215 F.3d 606, 608 (6th Cir. 2000)