

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
WASHINGTON

William B. Rowan v. Jefferey Perkins

Rowan · No. 1:25-CV-03158-TOR · Decided January 6, 2026

SUMMARY

The United States District Court for the Eastern District of Washington dismissed William B. Rowan’s pro se petition for a writ of habeas corpus under 28 U.S.C. § 2254 with prejudice. The court found that Rowan failed to amend the petition as directed and that his claims concerning the constitutionality of Washington’s non-corroboration statute were not cognizable habeas claims; it also denied a certificate of appealability.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Eastern District of Washington                                                                                                                                                                                                            |
| WRITING FOR THE COURT | Thomas O. Rice                                                                                                                                                                                                                                                                 |
| JURISDICTION          | United States District Court for the Eastern District of Washington                                                                                                                                                                                                            |
| DECIDED               | January 6, 2026                                                                                                                                                                                                                                                                |
| DOCKET                | 1:25-CV-03158-TOR                                                                                                                                                                                                                                                              |
| DISPOSITION           | dismissed                                                                                                                                                                                                                                                                      |
| PROCEDURAL POSTURE    | Petitioner filed a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2254. After the court ordered petitioner to amend the deficient petition within sixty days, petitioner filed nothing further, and the court dismissed the action with prejudice under Rule 4. |
| STANDARD OF REVIEW    | Preliminary review under Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts.                                                                                                                                                                |
| PRECEDENTIAL VALUE    | unpublished                                                                                                                                                                                                                                                                    |
| PARTIES               | William B. Rowan v. Jefferey Perkins                                                                                                                                                                                                                                           |

TOPICS

- federal habeas corpus
- post-conviction relief
- pleadings
- motions to dismiss
- civil procedure

PRACTICE AREAS

## QUESTIONS PRESENTED

1. Whether the deficient § 2254 petition should be dismissed after petitioner failed to amend it as ordered.
2. Whether a federal habeas claim challenging the constitutionality of RCW 9A.44.020(1), a state non-corroboration statute, is cognizable.
3. Whether petitioner demonstrated that the petition was timely and that each claim was properly exhausted.

## HOLDINGS

1. The action was properly dismissed with prejudice under Rule 4 because petitioner failed to comply with the court's order to amend the deficient petition within sixty days.
2. Petitioner's challenge to the constitutionality of RCW 9A.44.020(1), a state non-corroboration statute, was not a cognizable federal habeas claim.
3. Petitioner failed to demonstrate that his federal habeas petition was timely or that each claim was properly exhausted.

## KEY QUOTATIONS

*“This action is DISMISSED with prejudice pursuant to Rule 4, Rules Governing Section 2254 Cases in the United States District Courts.”* (at 2)

*“A certificate of appealability is DENIED.”* (at 2)

## FACTUAL BACKGROUND

William B. Rowan, an incarcerated individual proceeding pro se, filed a § 2254 petition and paid the \$5 filing fee. The petition challenged the constitutionality of RCW 9A.44.020(1), a state non-corroboration statute, but the court concluded that the asserted challenge was not cognizable in federal habeas corpus. The court also noted that petitioner had not shown that the petition was timely or that each claim had been exhausted, and petitioner failed to comply with the order requiring amendment.

## PROCEDURAL HISTORY

The court previously advised petitioner that his § 2254 petition was deficient and ordered him to file an amended petition within sixty days. Petitioner did not amend or otherwise file anything further, and respondent had not been served. The court dismissed the action with prejudice, denied a certificate of appealability, and directed the clerk to close the file.

## DISPOSITION

dismissed

## CASES CITED

- Smith v. Ryan, 823 F.3d 1270, 1282 (9th Cir. 2016)
- Rhoades v. Henry, 611 F.3d 1133, 1142 (9th Cir. 2010)
- Peltier v. Wright, 15 F.3d 860, 861-62 (9th Cir. 1994)

## OPINION

1 Jan 06, 2026 SEAN F. MCAVOY, CLERK 2 3 4 UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON 5 6 WILLIAM B. ROWAN, NO: 1:25-CV-03158-  
TOR 7 Petitioner, ORDER DISMISSING ACTION 8 v. 9 JEFFEREY PERKINS, 10 Respondent.  
11 12 By Order filed October 21, 2025, the Court advised Petitioner of the 13 deficiencies of his  
pro se Petition for Writ of Habeas Corpus by a Person in State 14 Custody pursuant to 28 U.S.C. §  
2254 and directed him to amend within sixty days.

15 ECF No. 5. Petitioner, an individual incarcerated at the Coyote Ridge Corrections 16 Center,  
has paid the \$5.00 filing fee. Respondent has not been served. 17 Petitioner did not comply with  
the Court's instructions and has filed nothing 18 further in this action.

The Court noted that all of Petitioner's asserted grounds for 19 relief involved a challenge to the  
constitutionality of RCW 9A.44.020(1), a state 20 non-corroboration statute. Petitioner's claim that  
this statute is unconstitutional is not 1 || a cognizable habeas claim. See Smith v. Ryan, 823 F.3d  
1270, 1282 (9th Cir. 2016) 2|| (quoting Rhoades v. Henry, 611 F.3d 1133, 1142 (9th Cir.

2010)); see also Peltier v. Wright, 15 F.3d 860, 861-62 (9th Cir. 1994) (noting that generally  
federal habeas 4|| corpus is unavailable for alleged errors in interpretation and application of state  
law). 5|| Further, Petitioner failed to demonstrate that his federal habeas corpus petition was 6||  
timely or that each claim was properly exhausted. ECF No. 5 at 3-7.

7 The Court cautioned Petitioner that his failure to amend within 60 days as 8 || directed would  
result in the dismissal of the petition. Accordingly, for the reasons 9|| set forth above and in the  
Order to Amend Petition, IT IS ORDERED: 10 1. This action is DISMISSED with prejudice  
pursuant to Rule 4, Rules 11 Governing Section 2254 Cases in the United States District Courts.

12 2. The Court certifies that pursuant to 28 U.S.C. § 1915(a)(3), an appeal from 13 this decision  
could not be taken in good faith, and there is no basis upon 14 which to issue a certificate of  
appealability. 28 U.S.C. § 2253(c); Fed. R. 15 App. P. 22(b). A certificate of appealability is  
DENIED. 16 The Clerk of Court shall enter this Order, enter judgment, provide copies to 17||  
Petitioner, and CLOSE the file.

18 DATED January 6, 2026. 20 nay ui is = HOMAS O. RICE rns United States District Judge