

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Thompson v. Runnels

Thompson · No. 3:03-cv-02711-JSC · Decided February 27, 2025

SUMMARY

The United States District Court for the Northern District of California grants the respondent’s motion to dismiss John William Thompson’s 28 U.S.C. § 2254 habeas petition as barred by the Antiterrorism and Effective Death Penalty Act’s statute of limitations. The court rejects delayed accrual under 28 U.S.C. § 2244(d)(1)(D), equitable tolling based on alleged attorney misconduct, and the actual-innocence gateway exception. The document addresses the deference owed to state-court credibility findings and concludes that the recantation evidence does not establish actual innocence.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Jacqueline Scott Corley
JURISDICTION	United States District Court for the Northern District of California
DECIDED	February 27, 2025
DOCKET	3:03-cv-02711-JSC
PROCEDURAL POSTURE	Petitioner sought federal habeas corpus relief under 28 U.S.C. § 2254 from a state murder conviction. After the federal action was stayed for exhaustion of state remedies, Respondent moved to dismiss the operative third amended petition as barred by AEDPA’s statute of limitations.
STANDARD OF REVIEW	The court applied AEDPA’s statute-of-limitations framework, reviewed the state court’s factual determinations under the presumption of correctness in 28 U.S.C. § 2254(e)(1), and evaluated the actual-innocence gateway by considering all the evidence, old and new, incriminating and exculpatory.
PARTIES	John William Thompson v. Robert Burton

QUESTIONS PRESENTED

1. Whether Thompson’s federal habeas petition was untimely under AEDPA’s one-year statute of limitations.

2. Whether 28 U.S.C. § 2244(d)(1)(D) delayed accrual of the limitations period until Thompson obtained witness recantations and other evidentiary support.
3. Whether Thompson was entitled to equitable tolling based on the alleged failure of retained counsel to file a federal habeas petition.
4. Whether the actual-innocence gateway recognized in *Schlup v. Delo* and applied to untimely petitions in *McQuiggin v. Perkins* allowed the court to reach the merits despite the untimely filing.

HOLDINGS

1. Because Thompson's conviction became final before AEDPA's enactment, his federal habeas petition was presumptively due by April 24, 1997. His filing was therefore untimely because it was not delivered to prison authorities until October 27, 2002.
2. Section 2244(d)(1)(D) did not delay accrual because Thompson knew, or through due diligence could have discovered, the vital facts underlying his claims before 2006; obtaining witness declarations or other evidence supporting those facts did not establish a later factual-predicate date.
3. Thompson was not entitled to equitable tolling because he failed to show that he pursued his rights diligently or that an extraordinary circumstance prevented timely filing.
4. Thompson did not satisfy the actual-innocence gateway because, considering all the old and new evidence, it was not more likely than not that no reasonable juror would have convicted him.

FACTUAL BACKGROUND

In 1989, a Humboldt County jury convicted Thompson of first-degree murder and personal use of a firearm after evidence indicated that he possessed the murder weapon, was seen with it before the killing, asked someone to bring it to him, and later arranged for the weapon and clothing to be concealed or destroyed. Years later, two witnesses recanted or qualified their trial testimony, asserting that their testimony had been coerced, and Thompson relied on those statements to claim actual innocence. The California superior court conducted an evidentiary hearing, found the recantation evidence not credible, and denied state habeas relief. The federal court concluded that the new evidence did not show that it was more likely than not that no reasonable juror would have convicted Thompson.

PROCEDURAL HISTORY

A California jury convicted Thompson of first-degree murder and personal use of a firearm, and he received a sentence of 32 years to life. After several state and federal habeas proceedings, including an eight-year stay for exhaustion, Thompson filed a third amended federal habeas petition asserting actual innocence and ineffective-assistance claims. The district court held that the petition was untimely, that delayed accrual and equitable tolling did not apply, and that the actual-innocence gateway was not satisfied, then granted Respondent's motion to dismiss.