

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
TENNESSEE, NASHVILLE DIVISION

Ugenio DeJesus Ruby-Ruiz v. Sharon Rose

Ruby-Ruiz v. Rose · No. 3:23-cv-00274 · Decided February 18, 2026

SUMMARY

The document is a memorandum opinion and order from the United States District Court for the Middle District of Tennessee addressing Ugenio DeJesus Ruby-Ruiz’s 28 U.S.C. § 2254 habeas petition. Ruby-Ruiz alleged ineffective assistance of trial counsel for failing to seek severance of offenses and ineffective assistance of appellate counsel for failing to raise issues from the motion for new trial. The court denied the petition.

CASE DETAILS

COURT	United States District Court for the Middle District of Tennessee, Nashville Division
WRITING FOR THE COURT	William L. Campbell, Jr.
JURISDICTION	United States District Court for the Middle District of Tennessee, Nashville Division
DECIDED	February 18, 2026
DOCKET	3:23-cv-00274
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2254 challenging Tennessee convictions and sentences; the federal district court denied the petition, dismissed the action with prejudice, and denied a certificate of appealability.
STANDARD OF REVIEW	Under AEDPA, relief is available for a claim adjudicated on the merits only if the state-court decision was contrary to, or involved an unreasonable application of, clearly established Supreme Court precedent, or was based on an unreasonable determination of the facts. Factual determinations are presumed correct under 28 U.S.C. § 2254(e)(1). Procedurally defaulted claims may be reviewed only upon a showing of cause and prejudice or an applicable exception. Ineffective-assistance claims are governed by Strickland's deficient-performance and prejudice requirements.

PRECEDENTIAL VALUE	nonprecedential district court opinion
PARTIES	Ugenio DeJesus Ruby-Ruiz v. Sharon Rose

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QUESTIONS PRESENTED

1. Whether petitioner's ineffective-assistance-of-trial-counsel claim based on failure to file a pretrial motion to sever was procedurally defaulted.
2. Whether the procedural default of the severance claim could be excused based on alleged ineffective assistance during the initial state post-conviction proceedings.
3. Whether the Tennessee Court of Criminal Appeals reasonably applied Strickland in rejecting petitioner's ineffective-assistance-of-appellate-counsel claim for failure to raise issues from the motion for new trial.
4. Whether petitioner was entitled to a certificate of appealability.

HOLDINGS

1. An ineffective-assistance-of-trial-counsel claim that was presented to the state post-conviction trial court but omitted from the appeal from denial of post-conviction relief is procedurally defaulted.
2. The Martinez exception does not excuse a procedural default occurring during an appeal from the initial state post-conviction proceeding.
3. Petitioner was not entitled to federal habeas relief because the Tennessee Court of Criminal Appeals reasonably concluded that he failed to demonstrate prejudice from appellate counsel's failure to raise additional issues from the motion for new trial.
4. A certificate of appealability should be denied because reasonable jurists would not disagree with the resolution of petitioner's claims.

KEY QUOTATIONS

“For the reasons set forth above, Petitioner’s 28 U.S.C. § 2254 petition for a writ of habeas corpus is DENIED, and this action is DISMISSED with prejudice.”

FACTUAL BACKGROUND

Petitioner was convicted of three counts of soliciting sexual exploitation of a minor, six counts of aggravated sexual battery, nine counts of rape of a child, one count of especially aggravated sexual exploitation of a minor, and two counts of rape arising from conduct involving his stepdaughter and her friend. The Tennessee trial court imposed an aggregate effective sentence of 121 years. In federal court, petitioner challenged the convictions based on trial counsel's failure to seek severance of offenses and appellate counsel's failure to raise unspecified issues from the motion for new trial.

PROCEDURAL HISTORY

Petitioner was convicted in Tennessee state court of multiple sexual offenses and received an aggregate 121-year prison sentence. The Tennessee Court of Criminal Appeals affirmed his convictions, and the Tennessee Supreme Court ultimately denied permission to appeal. The state post-conviction court denied relief, and the Tennessee Court of Criminal Appeals affirmed, concluding that petitioner had not demonstrated prejudice; the Tennessee Supreme Court denied further review. Petitioner then filed this § 2254 petition, asserting ineffective assistance of trial counsel for failing to seek severance and ineffective assistance of appellate counsel for failing to raise issues from the motion for new trial.

DISPOSITION

dismissed

CASES CITED

- State v. Ruby-Ruiz, No. M2013-01999-CCA-R3-CD, 2015 WL 2227933 (Tenn. Ct. Crim. App. May 12, 2015)
- Ruby-Ruiz v. State, No. M2022-040442-CCA-R3-PC, 2023 WL 1319576 (Tenn. Ct. Crim. App. Jan. 31, 2023)
- Baldwin v. Reese, 541 U.S. 27, 29 (2004)
- Adams v. Holland, 330 F.3d 398, 401 (6th Cir. 2003)
- Woodford v. Ngo, 548 U.S. 81, 126 (2006)
- Sutton v. Carpenter, 745 F.3d 787, 791, 795-96 (6th Cir. 2014)
- Bies v. Sheldon, 775 F.3d 386, 396 (6th Cir. 2014)
- Martinez v. Ryan, 566 U.S. 1, 16-17 (2012)
- Trevino v. Thaler, 569 U.S. 413, 429 (2013)
- Robinson v. Howes, 663 F.3d 819, 823 (6th Cir. 2011)
- Bell v. Cone, 535 U.S. 685, 694-95 (2002)
- Strickland v. Washington, 466 U.S. 668, 686-87, 694 (1984)
- Hale v. Cool, 122 F.4th 637, 646 (6th Cir. 2024)
- Miller-El v. Cockrell, 537 U.S. 322, 327 (2003)