

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI, EASTERN DIVISION

Antonio Courtney v. Richard Adams

No. 4:24-CV-00627-NCC (E.D. Mo. Mar. 31, 2026) · No. 4:24-CV-00627-NCC · Decided March 31, 2026

SUMMARY

The United States District Court for the Eastern District of Missouri considers Antonio Courtney’s petition for a writ of habeas corpus under 28 U.S.C. § 2254. The court grants leave to proceed in forma pauperis and denies Courtney’s motions for relief, copies, and a hearing. The court concludes that the petition was filed outside the AEDPA limitations period, that equitable tolling is unwarranted, and dismisses the petition as time-barred.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri, Eastern Division
WRITING FOR THE COURT	Noelle C. Collins
JURISDICTION	United States District Court for the Eastern District of Missouri, Eastern Division
DECIDED	March 31, 2026
DOCKET	4:24-CV-00627-NCC
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought federal habeas relief under 28 U.S.C. § 2254 from Missouri convictions and sentence. After directing Petitioner to show cause why the petition should not be dismissed as untimely, the court denied the petition, denied related motions, and dismissed the action as time-barred.
STANDARD OF REVIEW	Under AEDPA, federal habeas relief is unavailable unless the state-court adjudication was contrary to, or involved an unreasonable application of, clearly established Supreme Court precedent, or was based on an unreasonable determination of the facts. State factual findings are presumed correct under 28 U.S.C. § 2254(e)(1). Ineffective-assistance claims are reviewed under the doubly deferential Strickland and AEDPA standards. Procedural defaults may be excused only upon cause and actual prejudice or a fundamental miscarriage of justice.

PRECEDENTIAL VALUE	nonprecedential
PARTIES	Antonio Courtney v. Richard Adams

TOPICS

federal habeas corpus statute of limitations state post-conviction relief procedural due process

PRACTICE AREAS

federal habeas corpus state post-conviction relief civil procedure constitutional law

QUESTIONS PRESENTED

1. Whether the § 2254 petition was timely under AEDPA's one-year statute of limitations.
2. Whether Petitioner established reasonable diligence and an extraordinary circumstance warranting equitable tolling.
3. Whether the court should stay the case, permit additional filings or amendment, compel production of records, or hold an evidentiary hearing.
4. Whether, assuming the petition were timely, the ineffective-assistance claim concerning counsel's handling of the suppression motion and trial statements warranted federal habeas relief.
5. Whether claims concerning failure to investigate and call witnesses and failure to sever a count were procedurally defaulted.
6. Whether an ineffective-assistance claim based on post-conviction counsel was cognizable under § 2254.
7. Whether a certificate of appealability should issue.

HOLDINGS

1. The § 2254 petition was untimely because the AEDPA limitations period expired on April 29, 2024, while Petitioner delivered the petition for mailing no earlier than April 30, 2024.
2. Petitioner was not entitled to equitable tolling because he failed to show both reasonable diligence and an extraordinary circumstance that prevented timely filing.
3. The court denied Petitioner's requests for a stay, additional records, an evidentiary hearing, and amendment or traverse because those requests could not alter the determination that the petition was untimely and would be futile.
4. Even if the petition had been timely, Ground One would be denied because the state court reasonably applied Strickland in rejecting Petitioner's claim that trial counsel was ineffective for failing to obtain a recorded suppression ruling and failing to object to admission of his statements.
5. Grounds Two and Four were procedurally defaulted because Ground Two was not raised in the state post-conviction appeal and Ground Four was not raised during the state proceedings.
6. Ground Three was not cognizable in a § 2254 proceeding because alleged ineffectiveness of state post-conviction counsel is not a ground for federal habeas relief.

7. A certificate of appealability was denied because Petitioner failed to make a substantial showing of the denial of a constitutional right.

KEY QUOTATIONS

“Equitable tolling is proper only when extraordinary circumstances beyond a prisoner’s control make it impossible to file a petition on time.” (Discussion § II.A)

“The burden of demonstrating grounds warranting equitable tolling rests with the petitioner.” (Discussion § II.A)

“The standards created by Strickland and § 2254(d) are both ‘highly deferential,’ and when the two apply in tandem, review is ‘doubly’ so.” (Discussion § II.B.i)

FACTUAL BACKGROUND

Petitioner was convicted of first-degree assault, armed criminal action, unlawful use of a weapon, unlawful possession of a firearm, and first-degree burglary arising from a 2015 armed attack on Kenneth Strong. He received a total sentence of twenty-five years. After direct and state post-conviction review, Petitioner filed a federal habeas petition alleging ineffective assistance of trial and post-conviction counsel. The petition was filed after expiration of the AEDPA limitations period, and Petitioner attributed the delay generally to lockdowns, limited access to legal materials and resources, transfers, and prison-mail restrictions.

PROCEDURAL HISTORY

A St. Charles County, Missouri jury convicted Petitioner in January 2017, and the state court sentenced him on May 17, 2017, to an aggregate twenty-five-year term. The Missouri Court of Appeals affirmed the convictions on July 23, 2019, and the Missouri Supreme Court denied transfer on November 19, 2019. Petitioner pursued state post-conviction relief; the Missouri Court of Appeals affirmed denial of that relief on April 4, 2023, and the mandate issued April 27, 2023. Petitioner filed this § 2254 petition on May 3, 2024, which the district court dismissed as untimely after finding no basis for equitable tolling.

DISPOSITION

dismissed

CASES CITED

- Earl v. Fabian, 556 F.3d 717, 722, 725 (8th Cir. 2009)
- Pace v. DiGuglielmo, 544 U.S. 408, 418 (2005)
- Bracy v. Gramley, 520 U.S. 899, 904 (1997)
- United States v. Bell, 68 F. App'x 762, 764 n.3 (8th Cir. 2003)
- Newton v. Kemna, 354 F.3d 776, 785 (8th Cir. 2004)
- Johnson v. Steele, No. 4:13-CV-2046-SNLJ, 2018 WL 3008306, at *9 (E.D. Mo. June 15, 2018)
- Bell v. Allstate Life Ins. Co., 160 F.3d 452, 454 (8th Cir. 1998)

- Day v. McDonough, 547 U.S. 198, 210 (2006)
- Finch v. Miller, 491 F.3d 424, 426 (8th Cir. 2007)
- Jihad v. Hvass, 267 F.3d 803, 804-07 (8th Cir. 2001)
- Gonzalez v. Thaler, 565 U.S. 134, 150 (2012)
- Holland v. Florida, 560 U.S. 631, 649 (2010)
- Muhammad v. United States, 735 F.3d 812, 815-17 (8th Cir. 2013)
- Flanders v. Graves, 299 F.3d 974, 976 (8th Cir. 2002)
- Kreutzer v. Bowersox, 231 F.3d 460, 463 (8th Cir. 2000)
- Pena-Gonzales v. Kansas, No. 21-3185-SAC, 2021 WL 4134347, at *2 (D. Kan. Sept. 10, 2021)
- Russell v. Frakes, No. 8:19CV213, 2020 WL 6927284, at *2 (D. Neb. Apr. 27, 2020)
- Modrowski v. Mote, 322 F.3d 965 (7th Cir. 2003)
- Shoemate v. Norris, 390 F.3d 595, 598 (8th Cir. 2004)
- Reeder v. Koster, No. 4:14 CV 450 SNLJ/DDN, 2016 WL 6127702, at *5 (E.D. Mo. Sept. 8, 2016)
- United States v. Brittain, 41 F. App'x 246 (10th Cir. 2002)
- Paige v. United States, 171 F.3d 559, 561 (8th Cir. 1999)
- Moore v. Adams, No. 4:25-CV-00443 RHH, 2025 WL 1249433, at *1, *3-4 (E.D. Mo. Apr. 30, 2025)
- Wolf v. Buckner, No. 4:23-CV-849 RLW, 2023 WL 5289229, at *3 (E.D. Mo. Aug. 17, 2023)
- Lomholt v. Iowa, 327 F.3d 748, 751 (8th Cir. 2003)
- Williams v. Taylor, 529 U.S. 362, 407-08, 413 (2000)
- Ryan v. Clarke, 387 F.3d 785, 790 (8th Cir. 2004)
- Moore-El v. Luebbbers, 446 F.3d 890, 896 (8th Cir. 2006)
- Arnold v. Dormire, 675 F.3d 1082, 1086-87 (8th Cir. 2012)
- Sawyer v. Whitley, 505 U.S. 333, 338-39 (1992)
- Shinn v. Ramirez, 596 U.S. 366, 380 (2022)
- Dunn v. Reeves, 594 U.S. 731, 739-40 (2021)
- Harrington v. Richter, 562 U.S. 86, 101, 105 (2011)
- State v. Maddix, 935 S.W.2d 666, 672 (Mo. App. W.D. 1996)
- State v. Hunter, 840 S.W.2d 850, 870 (Mo. banc 1992)
- Nigro v. State, 467 S.W.3d 881, 886 (Mo. App. W.D. 2015)
- Griffith v. State, 233 S.W.3d 774, 778 (Mo. App. E.D. 2007)
- Clayton v. State, 63 S.W.3d 201, 207-08 (Mo. banc 2001)
- King v. Roper, 2005 WL 1518291, at *9
- Winfield v. Roper, 460 F.3d 1026, 1035 (8th Cir. 2006)
- Pittman v. Black, 764 F.2d 545, 546 (8th Cir. 1985)
- Johnson v. Norris, 537 F.3d 840, 848 (8th Cir. 2008)
- Link v. Luebbbers, 469 F.3d 1197, 1204 (8th Cir. 2006)
- Cox v. Burger, 398 F.3d 1025, 1030 (8th Cir. 2005)

