

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

Maxwell Navarre Lee v. Michael Shewmaker

Lee v. Shewmaker · No. 4:26-CV-00257 RHH · Decided May 20, 2026

SUMMARY

The United States District Court for the Eastern District of Missouri addresses Maxwell Navarre Lee’s habeas corpus petition under 28 U.S.C. § 2254. After reviewing Lee’s response to an order to show cause regarding timeliness, the court concludes that his Missouri Rule 24.035 post-conviction motion was timely filed and directs that a case management order issue, while permitting the respondent to raise timeliness as an affirmative defense.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri, Eastern Division
JURISDICTION	United States District Court for the Eastern District of Missouri
DECIDED	May 20, 2026
DOCKET	4:26-CV-00257 RHH
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner sought federal habeas relief under 28 U.S.C. § 2254. After ordering Petitioner to show cause why the petition should not be dismissed as time-barred, the Court determined that the response warranted further proceedings and ordered issuance of a Case Management Order.
PRECEDENTIAL VALUE	unpublished
PARTIES	Maxwell Navarre Lee v. Michael Shewmaker

TOPICS

- federal habeas corpus
- state post-conviction relief
- statute of limitations
- affirmative defenses
- post-conviction relief

PRACTICE AREAS

- federal habeas corpus
- state post-conviction relief
- civil procedure
- criminal procedure

QUESTIONS PRESENTED

1. Whether Petitioner's response to the show-cause order concerning the timeliness of his 28 U.S.C. § 2254 petition warranted continued proceedings rather than dismissal at that stage.

FACTUAL BACKGROUND

On June 26, 2015, Maxwell Navarre Lee pleaded guilty in St. Francois County, Missouri, to two counts of second-degree felony murder and received two concurrent life sentences. He did not appeal. He later pursued Missouri Rule 24.035 post-conviction relief, asserting that a motion filed in the City of Farmington Municipal Court on December 23, 2015, was timely because the municipal court was required to transfer it to the circuit court. The state circuit court found the motion timely, and the Missouri Court of Appeals affirmed.

PROCEDURAL HISTORY

Petitioner pleaded guilty in Missouri state court to two counts of second-degree felony murder and received concurrent life sentences. He did not directly appeal. The Missouri circuit court denied his Rule 24.035 post-conviction motion after an evidentiary hearing, and the Missouri Court of Appeals affirmed. In this federal habeas action, the Court issued a show-cause order concerning timeliness; after reviewing the response, it declined at that stage to dismiss and ordered a Case Management Order.

DISPOSITION

other

CASES CITED

- State v. Lee, No. 15SF-CR00456-01 (24th Jud. Cir. 2015)
- Lee v. State, No. 22SF-CC00033 (24th Jud. Cir. 2024)
- Lee v. State, No. ED113140 (Mo. Ct. App. 2025)
- Nicholson v. State, 151 S.W.3d 369 (Mo. banc 2004)

OPINION

Shewmaker

PER CURIAM.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF MISSOURI

EASTERN DIVISION

MAXWELL NAVARRE LEE,)

) Petitioner,)) v.) No. 4:26-CV-00257 RHH)

MICHAEL SHEWMAKER,)

) Respondent.)

MEMORANDUM AND ORDER

State-court prisoner Maxwell Lee petitions this Court for a writ of habeas corpus pursuant to 28

U.S.C. § 2254. [ECF No. 1]. On March 5, 2026, the Court issued an Order directing Petitioner to show cause as to why the application for writ of habeas corpus should not be dismissed as time-barred. [ECF No. 4]. After reviewing Petitioner's response to the Order to Show Cause, see ECF No. 6, the Court will issue a Case Management Order simultaneously herewith. Background On June 26, 2015, Petitioner entered a guilty plea in St. Francois County Court to two counts of second-degree felony murder. *State v. Lee*, No. 15SF-CR00456-01 (24th Jud. Cir. 2015). The trial court sentenced Petitioner to two concurrent terms of life imprisonment in the Missouri Department of Corrections. Petitioner did not appeal his conviction or sentence. On February 28, 2022, Petitioner filed a motion to vacate, set aside, or correct judgment under Missouri Supreme Court Rule 24.035 in Saint Francois County Circuit Court. See *Lee v. State*, No. 22SF-CC00033 (24th Jud. Cir. 2024). After an evidentiary hearing, the state court denied Petitioner's post-conviction motion on November 7, 2024. *Id.* Petitioner appealed, and the 1 Missouri Court of Appeals affirmed the trial court on August 12, 2025. *Lee v. State*, No. ED113140 (Mo. Ct. App. 2025). Petitioner filed his § 2254 petition by placing the petition in the mail at South Central Correctional Center in Licking, Missouri, on February 3, 2026. After reviewing the habeas petition, the Court issued an Order on March 5, 2026, directing Petitioner to show cause as to why it should not be dismissed as time-barred. [ECF No. 4]. Show Cause Response and Discussion In Petitioner's response brief, he asserts that his application for writ of habeas corpus should be considered timely because he submitted his post-conviction motion to vacate pursuant to Missouri Supreme Court Rule 24.035 to the City of Farmington Municipal Court on December 23, 2015. Petitioner asserts that an evidentiary hearing was held in Saint Francois County Circuit Court, see *Lee v. State*, No. 22SF-CC00033 (24th Jud. Cir. 2024), on August 16, 2024, and the matter of whether Petitioner timely filed his post-conviction motion to vacate was reviewed. Prior to the hearing, Petitioner's counsel, Lisa Stroup, and Saint Francois County Prosecuting Attorney, Michael Dudley, entered a Stipulation stating the following: The parties hereby stipulate that Mr. Lee filed a pro se post-conviction motion in the City of Farmington Municipal Court on December 23, 2015. At the hearing, Petitioner offered evidence that he was given the wrong address of the Circuit Court of Saint Francois County, and instead utilized the name of the Circuit Clerk, and the address of the Municipal Court of the City of Farmington, Missouri. He argued that pursuant to the case of *Nicholson v. State*, 151 S.W.3d 369 (Mo. banc 2004), the Municipal Court was required to transfer the motion to vacate to the Circuit Court, where it should have been properly filed. See also Mo. Rev. Stat. § 476.410. 2 On November 6, 2024, Circuit Judge Wendy Wexler-Hom found that although an argument could be made that the City of Farmington was not a "Court of Record" under the Missouri statutes, she was nevertheless making a finding that the Municipal Division was a Division of the Circuit Court. Thus, she found that Petitioner's Rule 23.035 motion to vacate was timely-filed when it was filed in the Municipal Court of the City of Farmington, Missouri, on December 23, 2015. For this reason, the Court will issue a Case Management Order in this action. If Respondent wishes to raise timeliness as an affirmative defense to Petitioner's application for

writ of habeas corpus, Respondent must do so within the time set forth in the Case Management Order. Accordingly, IT IS HEREBY ORDERED that a Case Management Order will be issued simultaneously herewith. Dated this 20th day of May, 2026.

UNITED STATES MAGISTRATE JUDGE