

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

James Scott v. Kelly Santoro

Scott v. Santoro · No. 25-cv-05202-AMO (PR) · Decided December 15, 2025

SUMMARY

The United States District Court for the Northern District of California grants James Scott’s request to stay his federal habeas corpus proceedings while he exhausts his claims in state court. The court vacates its prior order to show cause, construes the petition as a protective petition, and requires Scott to file quarterly status reports documenting the progress of his state proceedings. After receiving a final decision from the highest state court, Scott must move to reopen the federal action, lift the stay, and amend his petition within 28 days.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Araceli Martinez-Olguin
JURISDICTION	United States District Court for the Northern District of California
DECIDED	December 15, 2025
DOCKET	25-cv-05202-AMO (PR)
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner filed a federal habeas petition under 28 U.S.C. § 2254 containing only unexhausted claims and moved to stay the federal proceedings while he pursued exhaustion in state court.
STANDARD OF REVIEW	The court applied the discretionary stay-and-abeyance standard for federal habeas proceedings, requiring good cause for failure to exhaust and potentially meritorious claims, while considering AEDPA's purpose of reducing delay and encouraging exhaustion in state court.
PRECEDENTIAL VALUE	nonprecedential district court order
PARTIES	James Scott v. Kelly Santoro, Acting Warden

TOPICS

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

PRACTICE AREAS

Federal habeas corpus

Post-conviction relief

Civil procedure

QUESTIONS PRESENTED

1. Whether a federal district court may stay a § 2254 petition containing only unexhausted claims while the petitioner pursues exhaustion in state court.
2. Whether Scott satisfied the requirements for a stay and abeyance by showing good cause, potentially meritorious claims, and the absence of dilatory tactics.
3. What case-management conditions should govern the stay.

HOLDINGS

1. A district court has discretion to stay a federal habeas petition containing only unexhausted claims under the circumstances identified in *Rhines v. Weber*.
2. Scott was entitled to a stay because he showed good cause, had not engaged in dilatory tactics, and presented claims that appeared potentially meritorious.
3. The federal petition was construed as a protective petition and stayed until Scott completed exhaustion in state court.

KEY QUOTATIONS

“While district courts have the authority to issue stays of mixed petitions, their discretion is circumscribed by the Antiterrorism and Effective Death Penalty Act’s (“AEDPA”) stated purpose of reducing delay in the execution of criminal sentences and encouraging petitioners to seek relief in the state courts before filing their claims in federal court.” (at 1)

“Good cause appearing, the Court’s November 17, 2025 Order to Show Cause is VACATED, Scott’s request for a stay and abeyance is GRANTED, and the petition for a writ of habeas corpus is construed as a protective petition and STAYED so that Scott can exhaust his unexhausted claims in the state courts.” (at 2)

FACTUAL BACKGROUND

James Scott, a California state prisoner, filed a federal habeas petition under 28 U.S.C. § 2254 while all of his claims remained unexhausted in state court. He represented that he had submitted a habeas petition to the California Supreme Court containing all of the claims in the federal petition. Scott sought a stay while the state proceedings continued, and the court found that he had not engaged in dilatory tactics and that his claims appeared potentially meritorious.

PROCEDURAL HISTORY

Scott filed a petition for a writ of habeas corpus and a request for a stay and abeyance. The court had previously issued an order to show cause and granted in forma pauperis status. Because Scott had a pending California Supreme Court habeas petition encompassing his unexhausted claims, the court vacated the order to show cause,

construed the federal petition as a protective petition, stayed the proceedings, and required quarterly status reports.

DISPOSITION

other

CASES CITED

- Rose v. Lundy, 455 U.S. 509, 515-16 (1982)
- Crofts v. Smith, 73 F.3d 861, 865 (9th Cir. 1996)
- Johnson v. Zenon, 88 F.3d 828, 829 (9th Cir. 1996)
- Rhines v. Weber, 544 U.S. 269, 277 (2005)
- Mena v. Long, 813 F.3d 907, 909 (9th Cir. 2016)
- Pace v. DiGuglielmo, 544 U.S. 408, 416 (2005)

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