

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
ALABAMA

Eddie Lee Mitchell v. Warden Antonio McClain

Case No. 2:25-CV-269-WKW [WO] · No. 2:25-CV-269-WKW · Decided March 30, 2026

SUMMARY

The United States District Court for the Middle District of Alabama dismissed Eddie Lee Mitchell’s 28 U.S.C. § 2254 habeas petition with prejudice as untimely under the Antiterrorism and Effective Death Penalty Act. The court held that statutory tolling, equitable tolling, and the fundamental-miscarriage-of-justice exception did not excuse the approximately 28-year delay, and it denied a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the Middle District of Alabama
WRITING FOR THE COURT	W. Keith Watkins
JURISDICTION	United States District Court for the Middle District of Alabama
DECIDED	March 30, 2026
DOCKET	2:25-CV-269-WKW
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought federal habeas relief under 28 U.S.C. § 2254 from consecutive state sentences imposed after guilty pleas. The district court dismissed the petition with prejudice as untimely and denied a certificate of appealability.
STANDARD OF REVIEW	The court applied the statutory and equitable standards governing timeliness of § 2254 petitions, statutory tolling under 28 U.S.C. § 2244(d)(2), equitable tolling, and the actual-innocence gateway. It also applied the Slack v. McDaniel standard for a certificate of appealability.
PRECEDENTIAL VALUE	unpublished
PARTIES	Eddie Lee Mitchell v. Warden Antonio McClain

TOPICS

- federal habeas corpus
- statute of limitations
- actual innocence
- post-conviction relief
- equal protection

PRACTICE AREAS

federal habeas corpus

post-conviction relief

statute of limitations

constitutional law

QUESTIONS PRESENTED

1. Whether Mitchell's § 2254 petition was timely under 28 U.S.C. § 2244(d)(1)(A).
2. Whether a later state habeas petition or other collateral filings statutorily tolled or revived the expired AEDPA limitations period.
3. Whether equitable tolling applied based on diligence and extraordinary circumstances.
4. Whether Mitchell established a fundamental miscarriage of justice through the actual-innocence gateway.
5. Whether Mitchell was entitled to a certificate of appealability.

HOLDINGS

1. A state prisoner whose conviction became final before AEDPA's effective date had until April 23, 1997 to file a § 2254 petition; Mitchell's petition filed on April 7, 2025 was untimely.
2. A state post-conviction or collateral-review application filed after the AEDPA limitations period has expired does not toll or restart the limitations period.
3. Equitable tolling was unavailable because Mitchell did not show diligent pursuit of his rights or an extraordinary circumstance that prevented timely filing.
4. Mitchell's claim that his consecutive sentences were legally erroneous or disproportionate did not establish actual innocence or a fundamental miscarriage of justice sufficient to excuse the AEDPA time bar.
5. A certificate of appealability was denied because Mitchell did not show that reasonable jurists could debate either the validity of a constitutional claim or the correctness of the procedural ruling.

KEY QUOTATIONS

“For all other petitioners, the judgment becomes final at the “expiration of the time for seeking such review”—when the time for pursuing direct review in this Court, or in state court, expires.” (§ III.A)

“In other words, [§ 2244(d)(2)’s] tolling provision does not operate to revive the one-year limitations period if such period has expired.” (§ III.B.1)

“The actual-innocence gateway requires a petitioner “(1) to present new reliable evidence that was not presented at trial, and (2) to show that it is more likely than not that no reasonable juror would have found petitioner guilty beyond a reasonable doubt in light of the new evidence.”” (§ III.B.3)

FACTUAL BACKGROUND

Mitchell pleaded guilty in 1992 to first-degree rape and first-degree burglary and received consecutive sentences of 25 years and 15 years. He challenged the consecutive nature of the sentences, asserting that similarly situated defendants received concurrent sentences and that the disparity violated the Fourteenth Amendment's Equal

Protection Clause. His convictions became final before the AEDPA took effect, making April 23, 1997 the deadline for filing a federal habeas petition. He filed the present petition nearly 28 years later and presented no new evidence of factual innocence.

PROCEDURAL HISTORY

Mitchell pleaded guilty in 1992 in the Circuit Court of Montgomery County, Alabama, to first-degree rape and first-degree burglary and received consecutive sentences of 25 and 15 years. The Alabama Court of Criminal Appeals summarily affirmed, and its certificate of judgment issued on December 1, 1992. Mitchell later pursued state post-conviction and other collateral remedies, including a 2014 Rule 32 petition and a 2024 state habeas petition, but filed this federal § 2254 petition on April 7, 2025. The district court concluded that the AEDPA limitations period expired on April 23, 1997, that no tolling or actual-innocence exception applied, and dismissed the petition with prejudice.

DISPOSITION

dismissed

CASES CITED

- Williams v. McNeil, 557 F.3d 1287, 1290 n.2 (11th Cir. 2009)
- Jeffries v. United States, 748 F.3d 1310, 1314 (11th Cir. 2014) (per curiam)
- Thomas v. Crosby, 371 F.3d 782, 787 (11th Cir. 2004)
- Maleng v. Cook, 490 U.S. 488, 490–91 (1989) (per curiam)
- Dobard v. Johnson, 749 F.2d 1503, 1509–10 (11th Cir. 1985) (Clark, J., dissenting)
- Gonzalez v. Thaler, 565 U.S. 134, 150 (2012)
- Knight v. Schofield, 292 F.3d 709, 710 (11th Cir. 2002) (per curiam)
- Allen v. Siebert, 552 U.S. 3, 4 (2007)
- Webster v. Moore, 199 F.3d 1256, 1259 (11th Cir. 2000) (per curiam)
- Moore v. Crosby, 321 F.3d 1377, 1381 (11th Cir. 2003)
- Holland v. Florida, 560 U.S. 631, 649 (2010)
- Thomas v. Att’y Gen., 992 F.3d 1162, 1179 (11th Cir. 2021)
- Hunter v. Ferrell, 587 F.3d 1304, 1308 (11th Cir. 2009) (per curiam)
- Helton v. Sec’y for Dep’t of Corr., 259 F.3d 1310, 1314–15 (11th Cir. 2001) (per curiam)
- McQuiggin v. Perkins, 569 U.S. 383, 386, 392, 401 (2013)
- Schlup v. Delo, 513 U.S. 298, 316, 329 (1995)
- Johnson v. Fla. Dep’t of Corr., 513 F.3d 1328, 1334 (11th Cir. 2008)
- Rozzelle v. Sec’y, Fla. Dep’t of Corr., 672 F.3d 1000, 1011, 1013 (11th Cir. 2012) (per curiam)
- Bousley v. United States, 523 U.S. 614, 623 (1998)
- McKay v. United States, 657 F.3d 1190, 1198–99 (11th Cir. 2011)

- Taylor v. Myers, 2021 WL 3560230, at *7 n.9 (N.D. Ala. July 13, 2021), R. & R. adopted, 2021 WL 3550921 (N.D. Ala. Aug. 11, 2021)
- McKeithen v. Billips, 2014 WL 5679300, at *5 (N.D. Ala. Nov. 3, 2014)
- Slack v. McDaniel, 529 U.S. 473, 484 (2000)
- Smith v. State, 494 So. 2d 182 (Ala. Crim. App. 1986)
- Smith v. State, 601 So. 2d 201 (Ala. Crim. App. 1992)

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