

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Emiliano Isidro Enriquez v. R. Godwin

Enriquez v. Godwin · No. 1:21-cv-0930 JLT HBK (HC) · Decided February 26, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations and denied Emiliano Isidro Enriquez’s petition for a writ of habeas corpus under 28 U.S.C. § 2254. The court declined to issue a certificate of appealability and directed the clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jennifer L. Thurston
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	February 26, 2025
DOCKET	1:21-cv-0930 JLT HBK (HC)
DISPOSITION	dismissed
PROCEDURAL POSTURE	State prisoner sought federal habeas relief under 28 U.S.C. § 2254. The district court reviewed de novo the magistrate judge's findings and recommendations after petitioner filed no objections, adopted those findings and recommendations, denied the petition, declined to issue a certificate of appealability, and closed the case.
STANDARD OF REVIEW	De novo review under 28 U.S.C. § 636(b)(1) of the magistrate judge's findings and recommendations. For the merits of the § 2254 claims, relief was unavailable unless 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.
PRECEDENTIAL VALUE	unpublished
PARTIES	Emiliano Isidro Enriquez v. R. Godwin

TOPICS

federal habeas corpus

post-conviction relief

evidence

criminal procedure

reasonable doubt

PRACTICE AREAS

Federal habeas corpus

Post-conviction relief

Criminal procedure

Evidence

QUESTIONS PRESENTED

1. Whether the claim challenging denial of the motion to set aside the Information presented a cognizable federal habeas claim.
2. Whether the state court's rejection of the sufficiency-of-the-evidence claims was contrary to, or an unreasonable application of, clearly established Supreme Court precedent or rested on an unreasonable determination of the facts.
3. Whether the use of officers' reports and gang-expert testimony violated clearly established federal confrontation or hearsay principles.
4. Whether alleged errors in the jury instructions warranted federal habeas relief.
5. Whether the claim concerning uncorroborated accomplice testimony stated a federal constitutional claim or, alternatively, demonstrated constitutionally insufficient evidence.
6. Whether a certificate of appealability should issue.

HOLDINGS

1. A claim based solely on an alleged violation of state law is not cognizable on federal habeas review under 28 U.S.C. § 2254. The court therefore denied relief on this ground.
2. The state appellate court's rejection of petitioner's sufficiency-of-the-evidence claims was not contrary to, or an unreasonable application of, clearly established Supreme Court precedent and did not involve an unreasonable determination of the facts.
3. Petitioner was not entitled to habeas relief based on the use of officers' reports and gang-expert testimony because the state court correctly identified and applied the clearly established federal law governing confrontation claims involving hearsay, and petitioner failed to demonstrate constitutional error.
4. The alleged errors concerning the jury instructions did not warrant federal habeas relief.
5. The claim concerning uncorroborated accomplice testimony did not state a cognizable federal habeas claim because it was premised on state law. To the extent it could be construed as a sufficiency-of-the-evidence claim, it still failed because a rational trier of fact could conclude petitioner was the shooter and the state court's rejection was not unreasonable under clearly established Supreme Court precedent.
6. A certificate of appealability should not issue because petitioner failed to make a substantial showing of the denial of a constitutional right and reasonable jurists would not find the denial of the petition debatable or wrong.

KEY QUOTATIONS

“The petition for writ of habeas corpus (Doc. 1) is DENIED.” (Order at 1)

“The Court declines to issue a certificate of appealability.” (Order at 1)

FACTUAL BACKGROUND

Enriquez was convicted in California state court and challenged his conviction through federal habeas proceedings. His petition raised claims concerning the denial of a motion to set aside the Information, sufficiency of the evidence, jury instructions, the admission or use of gang-expert testimony and officers' reports, and reliance on uncorroborated accomplice testimony. The state appellate court had rejected the federal claims, and the magistrate judge found that the state court reasonably rejected the claims or that some claims presented only state-law issues.

PROCEDURAL HISTORY

Enriquez filed a petition for writ of habeas corpus challenging his state-court conviction on grounds involving the denial of a motion to set aside the Information, sufficiency of the evidence, jury instructions, gang-expert testimony, and uncorroborated accomplice testimony. The magistrate judge concluded that the claims were either based on state law or failed under the governing federal habeas standards, recommended denial of the petition, and recommended denial of a certificate of appealability. After the objection period expired without objections, the district court conducted de novo review, adopted the findings and recommendations in full, denied relief, declined to issue a certificate of appealability, and directed the clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Miller-El v. Cockrell, 537 U.S. 322, 335-36 (2003)
- Wilkerson v. Wheeler, 772 F.3d 834, 839 (9th Cir. 2014)

OPINION

(HC) Emiliano I. Enriquez v. Godwin

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 EMILIANO ISIDRO ENRIQUEZ,) Case No.: 1:21-cv-0930 JLT HBK (HC)) 12 Petitioner,

) ORDER ADOPTING THE FINDINGS AND

) RECOMMENDATIONS, DENYING PETITION

13 v.) FOR WRIT OF HABEAS CORPUS,

) DIRECTING CLERK OF COURT TO CLOSE

14 R. GODWIN,) CASE, AND DECLINING TO ISSUE

) CERTIFICATE OF APPEALABILITY

15 Respondent.)) (Docs. 1, 17) 16) 17 Emiliano Isidro Enriquez is a state prisoner proceeding pro se with his petition for writ of 18 habeas corpus pursuant to 28 U.S.C. § 2254, raising grounds for relief related to: the trial court's 19 denial of Petitioner's motion to set aside the Information, sufficiency of the evidence, jury 20 instructions, admissibility of gang expert testimony, and reliance on uncorroborated accomplice 21 testimony. (See generally Doc. 1 at 5-10, 16-40.) The magistrate judge observed that Petitioner 22 raised each ground on direct appeal and found "each ground is exhausted." (Doc. 17 at 12.) 23 The magistrate judge found that Petitioner's argument related to the denial of his motion 24 to set aside the Information was "based on an alleged violation of state law," which was not a 25 cognizable federal habeas claim. (Doc. 17. at 13.) Next, the magistrate judge found "the state 26 appellate court's rejection of Petitioner's sufficiency of the evidence claims was not contrary to, 27 or an unreasonable application of, clearly established Supreme Court precedent, nor an 28 unreasonable determination of the facts." (Id. at 23; see also id. at 13-23.) The magistrate judge 1 found the state court "correctly identified and applied ... the clearly established federal law 2 applicable to confrontation claims involving hearsay," and Petitioner did not show error related to 3 the use of officers' reports and gang expert testimony. (Id. at 25-26.) Furthermore, the 4 magistrate judge found Petitioner's assertions of error related to jury instructions also lacked 5 merit. (Id. at 24-25, 28-30.) Finally, the magistrate judge found Petitioner's assertions regarding 6 accomplice testimony were premised upon state law, and did not invoke the Constitution or 7 federal law. (Id. at 31.) To the extent the ground regarding accomplice testimony could be 8 construed as a challenge to sufficiency of the evidence, the magistrate judge found "a rational 9 trier of fact could conclude Petitioner was the shooter, [and] the state court's rejection of this 10 claim was not contrary to, or an unreasonable application of, clearly established Supreme Court 11 precedent." (Id. at 32.) Therefore, the magistrate judge recommended the Court deny all 12 requested grounds for relief in the petition. (Id. at 32.) 13 The magistrate judge also considered whether the Court should issue a certificate of 14 appealability. (Doc. 17 at 32.) The magistrate judge observed, "[a] petitioner seeking a writ of 15 habeas corpus has no absolute entitlement to appeal, rather an appeal is only allowed in certain 16 circumstances." (Id., citing *Miller-El v. Cockrell*, 537 U.S. 322, 335–36 (2003); 28 U.S.C. § 17 2253.) The magistrate judge also noted the Court will not issue a certificate of appealability 18 "unless a petitioner makes "a substantial showing of the denial of a constitutional right.'" (Id., 19 quoting 28 U.S.C. § 2253(c)(2).) Because Petitioner failed to carry this burden, the magistrate 20 judge recommended the Court not issue a certificate of appealability. (Id.) 21 The Court served the Findings and Recommendations upon Petitioner and ordered that 22 any objections must be filed within 14 days of the date of service. (Doc. 17 at 33.) The Court 23 also informed Petitioner that the "failure to file objections within the specified time may result in 24 the waiver of certain rights on appeal." (Id., citing *Wilkerson v. Wheeler*, 772 F.3d 834, 839 (9th

25 Cir. 2014).) Petitioner did not file objections and the time to do so has expired.

26 According to 28 U.S.C. § 636(b)(1), this Court performed a de novo review of this case. 27
Having carefully reviewed the matter, the Court concludes the Findings and Recommendations 28
are supported by the record and proper analysis. In addition, reasonable jurists would not find the
1 | Court's denial of the petition debatable or wrong, or that the issues presented are deserving of 2
| encouragement to proceed further. As the magistrate judge found, Petitioner did not make the 3 |
required substantial showing of the denial of a constitutional right. Thus, the Court ORDERS: 4 1.
The Findings and Recommendations issued on January 28, 2025 (Doc. 17) are 5 ADOPTED in
full. 6 2. The petition for writ of habeas corpus (Doc. 1) is DENIED. 7 3. The Court declines to
issue a certificate of appealability. 8 4. The Clerk of Court is directed to close the case. 9 10 IT IS
SO ORDERED. 11 Dated: _ February 26, 2025 Cerin | Tower

TED STATES DISTRICT JUDGE

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