

CALIFORNIA COURT OF APPEAL, SECOND APPELLATE DISTRICT,
DIVISION ONE

In re Tommie Lawson Lynex on Habeas Corpus

In re Lynex · No. B344569 · Decided February 19, 2026

SUMMARY

The California Court of Appeal construed Tommie Lawson Lynex’s habeas petition as a petition for writ of mandate and granted relief. The court held that appointment of counsel under the California Racial Justice Act requires a plausible allegation of a statutory violation, not a prima facie showing of entitlement to relief. It also held that the trial court erred by failing to consider leave to amend and by applying the successive-petition bar at the initial stage.

CASE DETAILS

COURT	California Court of Appeal, Second Appellate District, Division One
WRITING FOR THE COURT	Bendix, J.; Rothschild, P. J.; M. Kim, J.
JURISDICTION	California Court of Appeal, Second Appellate District, Division One
DECIDED	February 19, 2026
DOCKET	B344569
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Original proceeding in the Court of Appeal. Lynex petitioned for habeas corpus relief under the California Racial Justice Act and sought appointment of counsel. The Court of Appeal construed the habeas petition as a petition for writ of mandate challenging the superior court's denial of the petition and request for counsel.
STANDARD OF REVIEW	The interpretation and application of statutes are reviewed de novo. Discretionary trial court decisions are reviewed for abuse of discretion, including when the court applies an incorrect legal standard or is unaware of the full scope of its discretion.
PRECEDENTIAL VALUE	Published and certified for publication; precedential California Court of Appeal opinion.
PARTIES	Tommie Lawson Lynex v. Superior Court of Los Angeles County, The People of the State of California

TOPICS

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appellate procedure

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post-conviction relief

standard of review

PRACTICE AREAS

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statutory interpretation

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QUESTIONS PRESENTED

1. Whether a habeas petitioner seeking appointment of counsel for a California Racial Justice Act claim must make a prima facie showing of entitlement to relief.
2. Whether the superior court abused its discretion by failing to recognize its authority to allow Lynex to amend his petition to satisfy the minimal pleading standard for appointment of counsel.
3. Whether the superior court could deny Lynex's Racial Justice Act petition as successive at the initial screening stage without requiring him first to address potential procedural bars.

HOLDINGS

1. An indigent habeas petitioner raising a Racial Justice Act claim need not make a prima facie showing of entitlement to relief to obtain appointed counsel. Under Penal Code section 1473, subdivision (e)(5), the petition need only plead a plausible allegation of a violation of Penal Code section 745, subdivision (a), subject to the statute's minimal pleading threshold.
2. The superior court erred because it was unaware of its discretion to permit Lynex to amend his petition to satisfy the minimal pleading standard for appointment of counsel.
3. A habeas petitioner seeking appointment of counsel for a Racial Justice Act claim is not required at the initial screening stage to anticipate and refute potential procedural bars, including the bar against successive petitions.

KEY QUOTATIONS

“First, we conclude the trial court erred in ruling that Lynex had to make a prima facie showing of entitlement to relief to secure appointment of counsel. Rather, to obtain counsel, the Racial Justice Act requires habeas petitioners to plead a plausible allegation of a violation of the Act.” (2-3)

“Accordingly, before ruling on a request to appoint counsel, a trial court may exercise its discretion to permit a defendant to amend his or her petition to satisfy section 1473, subdivision (e)(5)’s pleading standard.” (23)

“In any event, as we explained above, whether Lynex diligently sought discovery of this evidence is not relevant to the trial court’s initial “assessment of the facial sufficiency of the factual allegations in the petition[] and . . . whether they adequately allege a violation of the R[acial Justice Act].”” (25)

FACTUAL BACKGROUND

In 2000, a jury convicted Lynex of first degree murder for a 1999 killing and found true a firearm enhancement under Penal Code section 12022.53, subdivision (d), resulting in a sentence of 50 years to life. In 2025, Lynex filed a Racial Justice Act petition and requested appointment of counsel, attaching Los Angeles County District Attorney data concerning murder and firearm-enhancement charging during 1998 through 2000. The data

showed substantially more Black defendants than White defendants were charged with murder and the firearm allegation during that period.

PROCEDURAL HISTORY

A jury convicted Lynex of first degree murder and found true a firearm enhancement in 2000, and the trial court sentenced him to 50 years to life. His direct appeal was affirmed in an unpublished opinion. After filing prior and subsequent Racial Justice Act habeas petitions in the superior court, the superior court denied the 2025 petition as successive, held that Lynex had not made a prima facie showing of entitlement to relief, and denied appointment of counsel. The Court of Appeal issued an order to show cause and granted writ relief, directing the superior court to vacate its February 13, 2025 order and conduct further proceedings consistent with the opinion.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

The superior court must vacate its February 13, 2025 order denying Lynex's petition for writ of habeas corpus and conduct further proceedings consistent with the opinion. The court must assess whether the petition states a plausible Racial Justice Act claim and, if not, consider whether to exercise its discretion to permit Lynex to amend the petition. The request for judicial notice filed May 23, 2025 was denied.

CASES CITED

- People v. Lynex, unpublished opinion, July 17, 2001, B145639
- Association for Los Angeles Deputy Sheriffs v. County of Los Angeles, 94 Cal.App.5th 764
- Reygoza v. Superior Court, 230 Cal.App.3d 514
- In re Lugo, 164 Cal.App.4th 1522
- People v. Carter, 97 Cal.App.5th 960
- People v. Hodge, 107 Cal.App.5th 985
- McIntosh v. Superior Court, 110 Cal.App.5th 33
- People v. Lawson, 108 Cal.App.5th 990
- Williams v. Superior Court, 226 Cal.App.2d 666
- People v. Tran, 13 Cal.5th 1169
- County of Los Angeles v. Niblett, 116 Cal.App.5th 454
- People v. Brown, 247 Cal.App.4th 1430
- People v. K.D., 110 Cal.App.5th 1