

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

Tamar Jackson v. Terry Tuggle, Warden

Jackson v. Tuggle · No. 4:25-cv-00365 · Decided May 5, 2026

SUMMARY

The United States District Court for the Northern District of Oklahoma dismissed Tamar Jackson’s 28 U.S.C. § 2254 habeas petition as barred by the AEDPA statute of limitations. The court rejected Jackson’s arguments for statutory tolling, equitable tolling, and the actual-innocence gateway, denied a certificate of appealability, and substituted Terry Tuggle for Derrick Yazel as respondent.

CASE DETAILS

COURT	United States District Court for the Northern District of Oklahoma
WRITING FOR THE COURT	Sara E. Hill
JURISDICTION	United States District Court for the Northern District of Oklahoma
DECIDED	May 5, 2026
DOCKET	4:25-cv-00365
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2254; respondent moved to dismiss as untimely and for failure to exhaust state remedies.
STANDARD OF REVIEW	The court applied the AEDPA statute-of-limitations framework and evaluated equitable tolling and the actual-innocence gateway exception. It reviewed the record to determine whether Jackson established extraordinary circumstances, due diligence, or new reliable evidence sufficient to avoid the limitations bar.
PRECEDENTIAL VALUE	unpublished district court opinion; persuasive only
PARTIES	Tamar Jackson v. Terry Tuggle, Warden

TOPICS

- federal habeas corpus
- post-conviction relief
- actual innocence
- due process
- ineffective assistance

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Jackson's § 2254 petition was timely under the one-year statute of limitations in 28 U.S.C. § 2244(d)(1)(A).
2. Whether Jackson was entitled to statutory tolling based on his post-2017 state-court filings.
3. Whether equitable tolling applied based on alleged ineffective assistance, prosecutorial misconduct, lack of access to charging documents, or ignorance of the law.
4. Whether Jackson's actual-innocence allegations satisfied the gateway exception to the AEDPA limitations bar.

HOLDINGS

1. Because Jackson did not timely move to withdraw his guilty plea, his Oklahoma conviction became final ten days after entry of judgment and sentence. The one-year AEDPA limitations period therefore expired on February 13, 2017, rendering his July 14, 2025 petition untimely.
2. Jackson was not entitled to equitable tolling because he failed to show extraordinary circumstances beyond his control and failed to demonstrate that he diligently pursued his federal claims.
3. Jackson did not establish actual innocence sufficient to overcome the AEDPA limitations bar because he presented no new reliable evidence and asserted, at most, legal innocence rather than factual innocence.

KEY QUOTATIONS

“Successful actual-innocence claims are rare due to the demanding evidentiary requirements for such claims.”

“A habeas petitioner must allege with specificity, ‘the steps he took to diligently pursue his federal claims.’”

“The Court therefore grants Respondent’s Motion and dismisses the Petition because the Petition is barred by the applicable statute of limitations.”

FACTUAL BACKGROUND

Jackson pleaded guilty to obtaining property by trick or deception, possessing a false identification card, and knowingly concealing stolen property, each after former conviction of two or more felonies. He received concurrent twenty-year split sentences on February 2, 2016, with all but the first four years suspended, and did not move to withdraw his plea. After the state revoked his suspended sentences in 2023, Jackson challenged the underlying convictions and alleged that he was actually innocent, that the prosecution lacked probable cause, and that he had not received the charging documents. He filed the federal petition on July 14, 2025, more than eight years after the AEDPA limitations period expired.

PROCEDURAL HISTORY

Jackson pleaded guilty in Creek County District Court to three felony offenses and was sentenced on February 2, 2016, to concurrent twenty-year split sentences, with all but the first four years suspended. The state court later revoked the suspended sentences in full on August 31, 2023. Jackson pursued state-court relief and filed this federal habeas petition on July 14, 2025, challenging the underlying convictions rather than the revocation. The district court granted respondent's motion and dismissed the petition as barred by the AEDPA statute of limitations, declining to reach exhaustion.

DISPOSITION

dismissed

CASES CITED

- Preston v. Gibson, 234 F.3d 1118, 1120 (10th Cir. 2000)
- Jones v. Patton, 619 F. App'x 676, 678-79 (10th Cir. July 15, 2015)
- Clark v. Oklahoma, 468 F.3d 711, 714 (10th Cir. 2006)
- Marsh v. Soares, 223 F.3d 1217, 1220 (10th Cir. 2000)
- Vigil v. Jones, 302 F. App'x 801, 804 (10th Cir. 2008)
- Yang v. Archuleta, 525 F.3d 925, 928 (10th Cir. 2008)
- Gunderson v. Abbott, 172 F. App'x 806, 810 (10th Cir. 2006)
- Merritt v. Blaine, 326 F.3d 157, 169 (3d Cir. 2003)
- United States v. Martin, 408 F.3d 1089, 1093 (8th Cir. 2005)
- Miller v. Marr, 141 F.3d 976, 978 (10th Cir. 1998)
- McQuiggin v. Perkins, 569 U.S. 383, 386, 399, 401 (2013)
- House v. Bell, 547 U.S. 518, 536-38 (2006)
- Schlup v. Delo, 513 U.S. 298, 324, 327 (1995)
- Fontenot v. Crow, 4 F.4th 982, 1031 (10th Cir. 2021)
- O'Bryant v. Oklahoma, 568 F. App'x 632, 637 (10th Cir. 2014)
- Johnson v. Medina, 547 F. App'x 880, 885 (10th Cir. 2013)
- United States v. McAbee, 685 F. App'x 682, 686 (10th Cir. 2017)
- Beavers v. Saffle, 216 F.3d 918, 923 (10th Cir. 2000)
- Klein v. Neal, 45 F.3d 1395, 1400 (10th Cir. 1995)
- Slack v. McDaniel, 529 U.S. 478, 484 (2000)