

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
OHIO, EASTERN DIVISION

Lyons v. Henderson, Warden

Lyons · No. 2:23-cv-03532 · Decided January 16, 2026

SUMMARY

The United States District Court for the Southern District of Ohio adopts the Magistrate Judge’s Report and Recommendation and dismisses Javon Lyons’s 28 U.S.C. § 2254 habeas petition with prejudice. The court concludes that the state court reasonably applied Strickland v. Washington to Lyons’s ineffective-assistance claim concerning advice about ballistic evidence and denies a certificate of appealability.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio, Eastern Division
WRITING FOR THE COURT	Sarah D. Morrison
JURISDICTION	United States District Court for the Southern District of Ohio, Eastern Division
DECIDED	January 16, 2026
DOCKET	2:23-cv-03532
DISPOSITION	dismissed
PROCEDURAL POSTURE	Federal habeas corpus petition under 28 U.S.C. § 2254 challenging the denial of effective assistance of counsel in connection with a guilty plea. The court reviewed the magistrate judge's Report and Recommendation de novo after Petitioner filed objections.
STANDARD OF REVIEW	De novo review of the portions of the magistrate judge's Report and Recommendation to which objections were made under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b); highly deferential AEDPA review of the state court decision under 28 U.S.C. § 2254(d)(1)–(2), including doubly deferential review of an ineffective-assistance claim under Strickland and AEDPA.
PRECEDENTIAL VALUE	Nonprecedential district-court opinion

PARTIES

Javon Lyons v. Kim Henderson, Warden, Toledo Correctional Institution

TOPICS

federal habeas corpus

ineffective assistance

plea bargaining

post-conviction relief

sixth amendment

PRACTICE AREAS

Federal habeas corpus

Post-conviction relief

Criminal procedure

Ineffective assistance of counsel

QUESTIONS PRESENTED

1. Whether the Ohio court's rejection of Lyons's ineffective-assistance claim involved an unreasonable application of clearly established Supreme Court law under 28 U.S.C. § 2254(d)(1).
2. Whether the Ohio court's factual findings concerning counsel's advice, the ballistics evidence, and the likelihood that Lyons would have rejected the plea were unreasonable in light of the state-court record under 28 U.S.C. § 2254(d)(2).
3. Whether Lyons was entitled to habeas relief, a certificate of appealability, or authorization to proceed in forma pauperis on appeal.

HOLDINGS

1. Lyons failed to show that the Ohio Court of Appeals unreasonably applied Strickland in concluding that counsel's advice to accept a 25-year plea rather than risk life without parole was within the range of reasonable professional assistance.
2. Lyons failed to establish prejudice because he did not show a reasonable probability that, but for counsel's alleged errors concerning the ballistics evidence, he would have rejected the guilty plea and insisted on going to trial.
3. Lyons failed to rebut the state court's factual findings with clear and convincing evidence or demonstrate that those findings lacked support in the record; therefore, habeas relief was unavailable under § 2254(d)(2).

KEY QUOTATIONS

“In other words, in order to satisfy the ‘prejudice’ requirement, the defendant must show that there is a reasonable probability that, but for counsel’s errors, he would not have pleaded guilty and would have insisted on going to trial.” (PAGEID# 1831)

“But Petitioner ignores the real question before this Court: “whether the state court’s application of the Strickland standard was unreasonable.”” (PAGEID# 1829)

FACTUAL BACKGROUND

Lyons alleged that trial counsel inadequately advised him about the strength of the ballistics evidence and that, with proper advice, he would have rejected a plea agreement and proceeded to trial. The state court record included jail calls in which Lyons urged his brother and co-defendant to find and destroy a gun, forensic evidence linking a recovered 9mm and a crime-scene shell casing, ballistics testimony linking bullets, and Lyons's apology to the victim's father. Counsel advised Lyons that going to trial could result in life imprisonment without parole, and Lyons accepted a plea for a 25-year sentence.

PROCEDURAL HISTORY

Lyons filed a § 2254 petition asserting ineffective assistance of counsel based on counsel's advice concerning ballistics evidence and the decision to plead guilty. The magistrate judge recommended dismissal with prejudice and denial of a certificate of appealability. After de novo review of the Report and Recommendation and Lyons's objections, the district court adopted the recommendation, overruled the objections, dismissed the petition with prejudice, denied a certificate of appealability, and certified that an appeal would be objectively frivolous for purposes of proceeding in forma pauperis.

DISPOSITION

dismissed

CASES CITED

- Renico v. Lett, 559 U.S. 766, 773 (2010)
- Strickland v. Washington, 466 U.S. 668, 687, 689 (1984)
- Knowles v. Mirzayance, 556 U.S. 111, 123 (2009)
- Moody v. Parris, No. 20-5299, 2022 WL 3788503, at *4 (6th Cir. Aug. 30, 2022)
- Williams v. Taylor, 529 U.S. 362 (2000)
- Harrington v. Richter, 562 U.S. 86, 101 (2011)
- Hill v. Lockhart, 474 U.S. 52, 59 (1985)
- Mortiz v. Woods, 692 F. App'x 249, 254 (6th Cir.)

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