

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
TEXAS, DALLAS DIVISION

Anthony Lennell Acy v. United States

Acy · No. No. 3:24-CV-2912-B (No. 3:21-CR-070-B) · Decided March 16, 2026

SUMMARY

The United States District Court for the Northern District of Texas denies Anthony Lennell Acy’s motion under 28 U.S.C. § 2255 to vacate, set aside, or correct his 365-month sentence for sex-trafficking offenses. The court rejects his claims of ineffective assistance of counsel concerning suppression motions, sentencing enhancements, appellate arguments, cumulative error, and communication of a plea offer.

CASE DETAILS

COURT	United States District Court for the Northern District of Texas, Dallas Division
JURISDICTION	United States District Court for the Northern District of Texas, Dallas Division
DECIDED	March 16, 2026
DOCKET	No. 3:24-CV-2912-B (No. 3:21-CR-070-B)
DISPOSITION	denied
PROCEDURAL POSTURE	Movant sought collateral relief under 28 U.S.C. § 2255, asserting six grounds principally alleging ineffective assistance of counsel. The district court denied the motion.
STANDARD OF REVIEW	Under 28 U.S.C. § 2255, collateral relief is limited to constitutional or jurisdictional errors and narrow injuries resulting in a complete miscarriage of justice. Ineffective-assistance claims are governed by Strickland's deficient-performance and prejudice requirements, with highly deferential judicial review. A § 2255 movant must establish a reasonable probability that the result would have been different absent counsel's errors.
PRECEDENTIAL VALUE	Unpublished memorandum opinion and order from a federal district court; limited precedential value.
PARTIES	Anthony Lennell Acy v. United States of America

TOPICS

federal habeas corpus ineffective assistance suppression of evidence fourth amendment plea bargaining

PRACTICE AREAS

federal post-conviction relief criminal procedure ineffective assistance of counsel
Fourth Amendment suppression sentencing

QUESTIONS PRESENTED

1. Whether counsel was ineffective for failing to seek suppression of evidence from the search of Acy's vehicle.
2. Whether counsel was ineffective for failing to seek suppression of evidence from the warrantless entry into Acy's hotel room.
3. Whether counsel was ineffective in challenging sentencing enhancements for sexual contact with the minor victim and for Acy's leadership or organizational role.
4. Whether counsel was ineffective for failing to challenge on appeal the denial of Acy's motion for a new trial.
5. Whether cumulative counsel error entitled Acy to § 2255 relief.
6. Whether counsel was ineffective for failing to present Acy with the government's plea offer.

HOLDINGS

1. Acy was not entitled to relief because the vehicle was searched pursuant to a warrant, and there was no basis to conclude that the warrant was defective or that evidence obtained in objectively reasonable reliance on it should have been suppressed.
2. Acy was not entitled to relief because officers had an objectively reasonable basis to enter the hotel room under the emergency-aid exception, and the circumstances also supported a reasonable belief that the adult victim consented to the entry.
3. Acy was not entitled to relief because counsel did object to the sexual-contact enhancement, the trial evidence amply supported it, and the leadership-or-organizer enhancement was proper; any further objection would have been frivolous.
4. Acy was not entitled to relief because counsel was not required to raise every nonfrivolous issue on appeal, and Acy failed to identify a solid, meritorious argument based on controlling precedent that would have succeeded.
5. Acy was not entitled to relief based on cumulative error because he established no individual ineffective-assistance error to cumulate.
6. Acy was not entitled to relief because counsel communicated the plea offer, discussed it with him, and Acy failed to show that he would have pleaded guilty absent counsel's alleged deficiency.

KEY QUOTATIONS

“A defendant can challenge his conviction or sentence after it is presumed final on issues of constitutional or jurisdictional magnitude only and may not raise an issue for the first time on collateral review without showing both “cause” for his procedural default and “actual prejudice” resulting from the errors.” (2)

“To prevail on an ineffective assistance of counsel claim, movant must show that (1) counsel’s performance fell below an objective standard of reasonableness and (2) there is a reasonable probability that, but for counsel’s unprofessional errors, the result of the proceedings would have been different.” (2)

“The totality of the circumstances reflects that officers had an objectively reasonable basis for believing that the victims were in need of immediate aid.” (4)

FACTUAL BACKGROUND

Acy was convicted by a jury of two sex-trafficking offenses and received a 365-month prison sentence. The challenged evidence included a search of Acy's vehicle pursuant to a warrant and officers' entry into a hotel room after an adult victim opened the door and sought immediate rescue for herself and a juvenile victim. At sentencing, the court found that trial evidence supported enhancements for sexual contact with the minor victim and Acy's leadership role. The record also showed that counsel communicated a plea offer and that Acy declined an offer concerning count one.

PROCEDURAL HISTORY

Acy was charged in a two-count superseding indictment with sex trafficking of a child and sex trafficking. He pleaded not guilty, was convicted by a jury, and was sentenced to 365 months' imprisonment. The Fifth Circuit affirmed his conviction on direct appeal. Acy then filed this § 2255 motion, which the district court denied.

DISPOSITION

denied

CASES CITED

- United States v. Acy, No. 22-10620, 2023 WL 5316545 (5th Cir. Aug. 14, 2023)
- United States v. Frady, 456 U.S. 152, 164 (1982)
- United States v. Shaid, 937 F.2d 228, 231-32 (5th Cir. 1991)
- United States v. Capua, 656 F.2d 1033, 1037 (5th Cir. Unit A Sept. 1981)
- Davis v. United States, 417 U.S. 333, 345 (1974)
- United States v. Placente, 81 F.3d 555, 558 (5th Cir. 1996)
- Moore v. United States, 598 F.2d 439, 441 (5th Cir. 1979)
- Buckelew v. United States, 575 F.2d 515, 517-18 (5th Cir. 1978)
- Strickland v. Washington, 466 U.S. 668, 686, 688-89, 694, 697 (1984)
- United States v. Stewart, 207 F.3d 750, 751 (5th Cir. 2000)
- Harrington v. Richter, 562 U.S. 86, 112 (2011)
- Cullen v. Pinholster, 563 U.S. 170, 189 (2011)

- Miller v. Johnson, 200 F.3d 274, 282 (5th Cir. 2000)
- Kimmelman v. Morrison, 477 U.S. 365, 375 (1986)
- United States v. Contreras, 905 F.3d 853, 857 (5th Cir. 2018)
- United States v. Kimler, 167 F.3d 889, 893 (5th Cir. 1999)
- Michigan v. Fisher, 558 U.S. 45, 47 (2009)
- Brigham City v. Stuart, 547 U.S. 398, 403 (2006)
- United States v. Shannon, 21 F.3d 77, 81 (5th Cir. 1994)
- United States v. Anthony, 487 F. App'x 921, 923 (5th Cir. 2012)
- United States v. Massey, 79 F.4th 396, 399 (5th Cir. 2023)
- United States v. Sims, 11 F.4th 315, 325 (5th Cir. 2021)
- United States v. Williamson, 183 F.3d 458, 462 (5th Cir. 1999)
- Tovar v. United States, No. 3:18-CV-528-B (BT), 2019 WL 7762200, at *7 (N.D. Tex. Dec. 26, 2019), adopted, 2020 WL 470270 (N.D. Tex. Jan. 29, 2020)
- Missouri v. Frye, 566 U.S. 134, 145 (2012)
- United States v. Rivas-Lopez, 678 F.3d 353, 356-57 (5th Cir. 2012)
- Lee v. United States, 582 U.S. 357, 369 (2017)