

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
ILLINOIS, EASTERN DIVISION

Nathaniel McCray v. Charles Truitt, Warden, Stateville Correctional
Center

McCray · No. No. 23 C 3768 · Decided March 27, 2026

SUMMARY

The United States District Court for the Northern District of Illinois denied Nathaniel McCray’s pro se motion under Federal Rule of Civil Procedure 59(e) to alter or amend the judgment denying his habeas corpus petition under 28 U.S.C. § 2254. The court rejected McCray’s arguments concerning ineffective assistance of counsel, an alleged ex parte jury-deliberation discussion, moot claims, and procedural default. The court concluded that McCray identified neither newly discovered evidence nor a manifest error of law or fact.

CASE DETAILS

COURT	United States District Court for the Northern District of Illinois, Eastern Division
WRITING FOR THE COURT	Virginia M. Kendall
JURISDICTION	United States District Court for the Northern District of Illinois, Eastern Division
DECIDED	March 27, 2026
DOCKET	No. 23 C 3768
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner moved under Federal Rule of Civil Procedure 59(e) to alter or amend the court's prior judgment denying his 28 U.S.C. § 2254 habeas petition and declining to issue a certificate of appealability.
STANDARD OF REVIEW	Relief under Rule 59(e) is available for newly discovered evidence or a manifest error of law or fact and is an extraordinary remedy reserved for exceptional cases. A manifest error requires wholesale disregard, misapplication, or failure to recognize controlling precedent; a Rule 59(e) motion may not be used to rehash arguments previously presented or advance arguments that should have been raised before judgment.

TOPICS

federal habeas corpus

motion for reconsideration

procedural due process

default

standard of review

PRACTICE AREAS

Federal habeas corpus

Post-conviction relief

Civil procedure

Appellate procedure

QUESTIONS PRESENTED

1. Whether McCray demonstrated newly discovered evidence or a manifest error of law or fact warranting relief under Federal Rule of Civil Procedure 59(e).
2. Whether the court erred in denying habeas relief on the ineffective-assistance claims concerning McCray's arrest and suppression arguments.
3. Whether the affidavit submitted with the Rule 59(e) motion warranted reconsideration of the court's ruling on the alleged ex parte jury-deliberation hearing.
4. Whether the court erred in treating the verdict-form and related ineffective-assistance claims as moot.
5. Whether the court erred in treating the claims concerning sending the door jamb to the jury and the accountability instruction as procedurally defaulted on an independent and adequate state ground.

HOLDINGS

1. The motion to alter or amend judgment was properly denied because McCray identified neither newly discovered evidence nor a manifest error of law or fact.
2. McCray was not entitled to reconsideration of the denial of his ineffective-assistance claims concerning the allegedly unlawful arrest and failure to challenge the search warrant because his arguments applied an improper de novo standard and repeated arguments already rejected.
3. The affidavit attached to the Rule 59(e) motion did not warrant reconsideration of the denial of Claim 6 because it was McCray's own account of what an attorney supposedly would testify to, rather than an affidavit from that attorney, and it did not undermine the state court's finding that one of McCray's attorneys was present and objected.
4. The court did not err in treating Claims 7 through 10 as moot because the aggravated-kidnapping conviction and sentence had been vacated, leaving no meaningful relief that the federal court could provide on the claims.
5. The court correctly treated Claims 11 and 13 as procedurally defaulted because the Illinois Appellate Court relied on Illinois Supreme Court Rule 341(e)(7), an independent and adequate state ground, when it deemed the claims waived.

KEY QUOTATIONS

“Rule 59(e) provides a narrow and extraordinary remedy, with the moving party bearing a heavy burden.”
(Standard of Review)

“Accordingly, this Court correctly found petitioner’s claims procedurally defaulted on an independent and adequate state ground.” (Discussion § IV)

FACTUAL BACKGROUND

A Cook County jury found Nathaniel McCray guilty of first-degree murder and aggravated kidnapping, and he received consecutive stated sentences of 50 years and 25 years, respectively. After pursuing post-conviction proceedings in Illinois, McCray sought federal habeas relief on thirteen grounds, including Fourth Amendment, ineffective-assistance, Batson, jury-deliberation, verdict-form, motive-evidence, and jury-instruction claims. The federal court previously denied the petition, and McCray's Rule 59(e) motion challenged the treatment of nine of those claims.

PROCEDURAL HISTORY

After a Cook County jury convicted McCray of first-degree murder and aggravated kidnapping, and after proceedings in the Illinois courts, McCray filed a federal habeas petition asserting thirteen grounds for relief. On September 2, 2025, this court denied the petition, ruling that one claim was non-cognizable, six claims failed on the merits, four claims were moot, and two claims were procedurally defaulted; it also declined to issue a certificate of appealability. McCray then filed the present Rule 59(e) motion, which the court denied in full.

DISPOSITION

other

CASES CITED

- Galvan v. Norberg, 678 F.3d 581, 587 (7th Cir. 2012)
- Siemens Transformadores S.A. de C.V. v. Soo Line R. Co., 2012 WL 1938848, at *1 (N.D. Ill. May 29, 2012)
- Emerson v. Dart, 109 F.4th 936, 943 (7th Cir. 2024)
- Harrington v. City of Chicago, 433 F.3d 542, 546 (7th Cir. 2006)
- Oto v. Metro. Life Ins. Co., 224 F.3d 601, 606 (7th Cir. 2000)
- Burritt v. Ditlefsen, 807 F.3d 239, 253 (7th Cir. 2015)
- Bank of Waunakee v. Rochester Cheese Sales, Inc., 906 F.2d 1185, 1191 (7th Cir. 1990)
- Kap Holdings, LLC v. Mar-Cone Appliance Parts Co., 55 F.4th 517, 528 (7th Cir. 2022)
- Vesey v. Envoy Air, Inc., 999 F.3d 456, 463 (7th Cir. 2021)
- Barrington Music Prods., Inc. v. Music & Arts Ctr., 924 F.3d 966, 968 (7th Cir. 2019)
- People v. Gakuba, 2017 IL App (2d) 150744-U, ¶ 18 (Ill. App. 2017)
- Brown v. Vanihel, 7 F.4th 666, 670 (7th Cir. 2021)
- People v. Austin, 443 N.E.2d 1107, 1107 (Ill. App. 1982)
- People v. Johnson, 735 N.E.2d 577, 580 (Ill. 2000)

- Cnty. of McHenry v. Ins. Co. of the W., 438 F.3d 813, 819 (7th Cir. 2006), as amended (Apr. 11, 2006)
- Beard v. Kindler, 558 U.S. 53, 60–61 (2009)

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