

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Robert Anthony Taylor v. Superior Court of California, County of
Sacramento

Taylor · No. 2:24-cv-02271-DC-CKD (HC) · Decided March 31, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted findings and recommendations in part and dismissed Robert Anthony Taylor’s federal habeas corpus petition without prejudice. The court held that Taylor had not exhausted his state remedies because his state appeal remained pending, declined to issue a certificate of appealability, and directed the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Dena M. Coggins
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	March 31, 2025
DOCKET	2:24-cv-02271-DC-CKD (HC)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought federal habeas relief under 28 U.S.C. § 2254. After a magistrate judge recommended dismissal as duplicative of an earlier habeas action, the district court conducted de novo review, declined to dismiss on the duplicative-action ground because the earlier action had been closed, and dismissed the petition without prejudice for failure to exhaust state remedies.
STANDARD OF REVIEW	De novo review of the findings and recommendations under 28 U.S.C. § 636(b)(1)(C).
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order
PARTIES	Robert Anthony Taylor v. Superior Court of California, County of Sacramento

TOPICS

federal habeas corpus

post-conviction relief

appellate procedure

standard of review

PRACTICE AREAS

federal habeas corpus

post-conviction relief

appellate procedure

QUESTIONS PRESENTED

1. Whether the federal habeas petition should be dismissed as duplicative of Taylor's previously filed federal habeas action.
2. Whether the petition should be dismissed without prejudice because Taylor had not exhausted available state remedies.
3. Whether the court should issue a certificate of appealability.

HOLDINGS

1. The court declined to summarily dismiss the petition as duplicative because the earlier Taylor I petition had already been dismissed and that case had been closed.
2. A federal habeas petition must be dismissed without prejudice when the petitioner has not first exhausted state remedies.
3. The court declined to issue a certificate of appealability because reasonable jurists would not find the procedural dismissal debatable or wrong.

KEY QUOTATIONS

"The exhaustion of state remedies is a prerequisite to the granting of a petition for writ of habeas corpus." (at 1)

"Accordingly, the court will dismiss Petitioner's federal habeas petition due to his failure to first exhaust state remedies and will close this case." (at 1)

"Where, as here, the court denies habeas relief on procedural grounds without reaching the underlying constitutional claims, the court should issue a certificate of appealability 'if jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether the district court was correct in its procedural ruling.'" (at 2)

FACTUAL BACKGROUND

Taylor was a state prisoner who filed a federal habeas petition while his appeal remained pending in the California Court of Appeal. Although he stated that he had appealed his conviction to the highest state court, the state appellate docket showed that his appeal had not concluded. Because the state appellate proceedings were ongoing, the court determined that Taylor had not exhausted his state remedies.

PROCEDURAL HISTORY

Taylor filed a § 2254 petition challenging his state custody. A magistrate judge recommended dismissal because the petition duplicated Taylor's earlier federal habeas petition, *Taylor v. District of Attorney*, No. 2:24-cv-01400-DJC-SCR, which had been dismissed for failure to exhaust state remedies. Taylor filed objections. The district court adopted the findings and recommendations in part, rejected the duplicative-petition rationale, dismissed the present petition without prejudice for failure to exhaust, declined to issue a certificate of appealability, and closed the case.

DISPOSITION

dismissed

CASES CITED

- *Taylor v. District of Attorney*, No. 2:24-cv-01400-DJC-SCR (E.D. Cal. Sept. 18, 2024)
- *Picard v. Connor*, 404 U.S. 270, 276 (1971)
- *O'Sullivan v. Boerckel*, 526 U.S. 838, 845 (1999)
- *U.S. ex rel. Robinson Rancheria Citizens Council v. Borneo, Inc.*, 971 F.2d 244, 248 (9th Cir. 1992)
- *Miller-El v. Cockrell*, 537 U.S. 322, 335-36 (2003)
- *Slack v. McDaniel*, 529 U.S. 473, 484 (2000)