

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
NORTH CAROLINA

Richard Pridgen v. State of North Carolina

Pridgen · No. 1:25-cv-630 · Decided March 26, 2026

SUMMARY

The United States District Court for the Middle District of North Carolina adopts a magistrate judge’s recommendation and dismisses Richard Pridgen’s habeas petition. The court finds that Pridgen failed to obtain authorization from the United States Court of Appeals for the Fourth Circuit as required for a successive petition under 28 U.S.C. § 2244, denies a certificate of appealability, and notes that any proposed claims under 42 U.S.C. § 1983 would be barred by Heck v. Humphrey.

CASE DETAILS

COURT	United States District Court for the Middle District of North Carolina
JURISDICTION	United States District Court for the Middle District of North Carolina
DECIDED	March 26, 2026
DOCKET	1:25-cv-630
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's recommendation to dismiss a federal habeas petition. After the petitioner filed timely objections, the district court conducted de novo review, adopted the recommendation, and dismissed the petition.
STANDARD OF REVIEW	De novo review of those portions of the magistrate judge's recommendation to which objection was made under 28 U.S.C. § 636(b)(1).
PRECEDENTIAL VALUE	unpublished, nonprecedential
PARTIES	Richard Pridgen v. State of North Carolina

TOPICS

- successive petitions
- federal habeas corpus
- section 1983
- appellate procedure
- civil procedure

PRACTICE AREAS

- federal habeas corpus
- civil procedure
- civil rights

QUESTIONS PRESENTED

1. Whether the district court should dismiss the petition because petitioner failed to obtain Fourth Circuit authorization to file a successive habeas petition.
2. Whether the petitioner's objections warranted treating the filing as a civil-rights action under 42 U.S.C. § 1983.
3. Whether petitioner was entitled to a certificate of appealability.

HOLDINGS

1. A successive habeas petition must be dismissed when the petitioner has not obtained the required order from the United States Court of Appeals for the Fourth Circuit authorizing the district court to consider it.
2. The petitioner could not avoid dismissal by recasting the claims as a § 1983 action because claims that would necessarily undermine the validity of criminal convictions are barred unless the convictions have been invalidated or otherwise called into question.
3. A certificate of appealability should not issue because petitioner made no substantial showing of the denial of a constitutional right and presented no debatable procedural ruling.

KEY QUOTATIONS

“The Petition, (Doc. 2), is DISMISSED for failure to apply to the United States Court of Appeals for the Fourth Circuit for an order authorizing this district court to consider the current Petition as is required by 28 U.S.C. § 2244.” (at 3)

FACTUAL BACKGROUND

Petitioner filed the current federal habeas petition without first obtaining an order from the United States Court of Appeals for the Fourth Circuit authorizing the district court to consider it. Petitioner timely objected to the magistrate judge's recommendation of dismissal and requested that the filing be treated as a civil-rights complaint under 42 U.S.C. § 1983. The court concluded that any such § 1983 claims would be barred because they would necessarily undermine petitioner's convictions.

PROCEDURAL HISTORY

A magistrate judge recommended dismissal because of a pleading failure and the petitioner's failure to obtain authorization from the United States Court of Appeals for the Fourth Circuit to file a successive petition. The petitioner objected and asked the court to treat the matter as a civil-rights action under 42 U.S.C. § 1983. The district court overruled the objections, adopted the recommendation, dismissed the petition, denied a certificate of appealability, and stated that judgment would be entered contemporaneously.

DISPOSITION

dismissed

CASES CITED

- Heck v. Humphrey, 512 U.S. 477 (1994)

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