

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA

Jonathan N. Lane v. Sheriff

Lane · No. 3:26-CV-14-GSL-JEM · Decided March 23, 2026

SUMMARY

The United States District Court for the Northern District of Indiana considers a habeas petition challenging a state conviction and probation-related proceedings. The court concludes that the petition appears to raise unexhausted challenges to the conviction and grants the petitioner an opportunity to respond before dismissal without prejudice.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana
WRITING FOR THE COURT	Gretchen S. Lund
JURISDICTION	United States District Court for the Northern District of Indiana
DECIDED	March 23, 2026
DOCKET	3:26-CV-14-GSL-JEM
DISPOSITION	other
PROCEDURAL POSTURE	A pro se prisoner filed a petition for habeas corpus under 28 U.S.C. § 2254 challenging proceedings related to his probation revocation and conviction. The district court conducted an initial Rule 4 screening and ordered the petitioner to respond regarding exhaustion before deciding whether to dismiss the case.
STANDARD OF REVIEW	Under Section 2254 Habeas Corpus Rule 4, the court must dismiss a petition when it plainly appears from the petition and attached exhibits that the petitioner is not entitled to relief. Before reaching the merits, the court must determine whether available state remedies have been exhausted.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Jonathan N. Lane v. Sheriff

TOPICS

- federal habeas corpus
- state post-conviction relief
- post-conviction relief
- pleadings
- criminal procedure

PRACTICE AREAS

federal habeas corpus

state post-conviction relief

criminal procedure

civil procedure

QUESTIONS PRESENTED

1. Whether Lane's claims challenge his underlying conviction rather than the revocation of his probation.
2. Whether the petition should be dismissed or otherwise screened for failure to exhaust available state-court remedies under 28 U.S.C. § 2254(b)(1)(A) and Habeas Corpus Rule 4.
3. Whether Lane should be given an opportunity to respond before the court dismisses the petition without prejudice for failure to exhaust.

HOLDINGS

1. Lane's allegations concerning probable cause, discovery, and trial counsel appear to challenge his conviction rather than the revocation of his probation.
2. A federal court must ensure that a habeas petitioner has exhausted all available state-court remedies before considering the merits of a petition under § 2254.
3. Because Lane's conviction resulted from a guilty plea, a challenge to that conviction must be brought through Indiana post-conviction procedures rather than direct appeal.

KEY QUOTATIONS

"If it plainly appears from the petition and any attached exhibits that the petitioner is not entitled to relief in the district court." (Opinion and Order)

"Postconviction procedures do not afford a petitioner with a super-appeal, and not all issues are available." (Opinion and Order)

"Consequently, it appears that the court should dismiss this case without prejudice to Lane returning to federal court once he has finished in State court." (Opinion and Order)

FACTUAL BACKGROUND

Lane is incarcerated and filed a federal habeas petition without counsel. He pleaded guilty in Indiana state court to unlawful residential entry and sought to challenge proceedings described as involving revocation of his probation. His federal claims alleged that the prosecution lacked probable cause, failed to disclose discovery, and that trial counsel refused to advocate for him. The court found that these allegations appeared directed at the underlying conviction and that Lane had not initiated state post-conviction proceedings challenging it.

PROCEDURAL HISTORY

Lane pleaded guilty to unlawful residential entry in Allen Superior Court Case No. 02D05-2501-F6-72. He filed a federal habeas petition alleging lack of probable cause, nondisclosure of discovery, and ineffective assistance of trial counsel. The district court concluded that the claims appeared to challenge the underlying conviction rather than the probation revocation and that Lane had not pursued available state post-conviction remedies. The

court granted leave to proceed in forma pauperis and ordered Lane to respond by April 23, 2026, warning that failure to respond would result in dismissal without prejudice.

DISPOSITION

other

CASES CITED

- Lewis v. Sternes, 390 F.3d 1019, 1025 (7th Cir. 2004)
- Timberlake v. State, 753 N.E.2d 591, 597-98 (Ind. 2001)
- Hall v. State, 849 N.E.2d 466, 472 (Ind. 2006)

OPINION

Lane

PER CURIAM.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF INDIANA

SOUTH BEND DIVISION

JONATHAN N. LANE,

Petitioner,

v. CAUSE NO. 3:26-CV-14-GSL-JEM

SHERIFF,

Respondent.

OPINION AND ORDER

Jonathan N. Lane, a prisoner without a lawyer, filed a habeas petition purporting to challenge his probation revocation in connection with Case No. 02D05-2501-F6-72 in the Allen Superior Court. In that State criminal proceeding, he pled guilty to unlawful residential entry. Pursuant to Section 2254 Habeas Corpus Rule 4, the court must dismiss the petition “[i]f it plainly appears from the petition and any attached exhibits that the petitioner is not entitled to relief in the district court.” In the petition, Lane argues that he is entitled to habeas relief because the prosecution lacked probable cause to charge him with unlawful residential entry, the prosecution failed to disclose discovery, and trial counsel refused to advocate on his behalf. Notably, each of these claims presents a challenge to Lane’s conviction rather than the revocation of his term of probation. Before considering the merits of a habeas petition, the court must ensure that the petitioner has exhausted all available remedies in State court. 28 U.S.C. § 2254(b)(1)(A); Lewis v. Sternes, 390 F.3d 1019, 1025 (7th Cir. 2004). Indiana courts have explained a convicted individual’s State court remedies as follows: Postconviction procedures do not afford a petitioner with a super-appeal, and not all issues are available. Rather, subsequent collateral challenges to convictions must be based on grounds enumerated in the postconviction rules. If an issue was known and available, but not

raised on direct appeal, it is waived. If it was raised on appeal, but decided adversely, it is res judicata. If not raised on direct appeal, a claim of ineffective assistance of trial counsel is properly presented in a postconviction proceeding. A claim of ineffective assistance of appellate counsel is also an appropriate issue for postconviction review. As a general rule, however, most free-standing claims of error are not available in a postconviction proceeding because of the doctrines of waiver and res judicata. *Timberlake v. State*, 753 N.E.2d 591, 597–98 (Ind. 2001). “[B]ecause a conviction imposed as a result of a guilty plea is not an issue that is available to a defendant on direct appeal, any challenge to a conviction thus imposed must be made through the procedure afforded by the Indiana Rules of Procedure for Post-Conviction Remedies.” *Hall v. State*, 849 N.E.2d 466, 472 (Ind. 2006). In the petition, Lane does not suggest that he has presented his claims at any level of the State courts. Further, review of the electronic dockets for the State courts¹ indicates that Lane has not initiated State post-conviction proceedings to challenge this conviction. Consequently, it appears that the court should dismiss this case without prejudice to Lane returning to federal court once he has finished in State court. Nevertheless, the court will grant Lane an opportunity to address the court’s 1 Pursuant to Fed. R. Evid. 201, the court takes judicial notice of the electronic dockets for the Indiana courts, which are available at <https://public.courts.in.gov/mycase/>. characterization of his claims and the exhaustion issue before deciding whether to dismiss for failure to exhaust pursuant to Section 2254 Habeas Corpus Rule 4. For these reasons, the court:

- (1) GRANTS the motion for leave to proceed in forma pauperis (ECF 2);
- (2) ORDERS Jonathan N. Lane to file a response to this Order on whether he has appropriately exhausted his remedies by April 23, 2026; and
- (3) CAUTIONS Jonathan N. Lane, that, if he does not respond by that deadline, this case will be dismissed without prejudice without further notice. SO ORDERED on March 23, 2026 /s/Gretchen S. Lund

JUDGE

UNITED STATES DISTRICT COURT