

21-511 SHOOP V. TWYFORD

DECISION BELOW: 11 F.4th 518

LOWER COURT CASE NUMBER: 20-3346

QUESTION PRESENTED:

1. 28 U.S.C. §2241(c) allows federal courts to issue a writ of habeas corpus ordering the transportation of a state prisoner *only* when necessary to bring the inmate into court to testify or for trial. It forbids courts from using the writ of habeas corpus to order a state prisoner's transportation for any other reason. May federal courts evade this prohibition by using the All Writs Act to order the transportation of state prisoners for reasons not enumerated in §2241(c)?

2. Before a court grants an order allowing a habeas petitioner to develop new evidence, must it determine whether the evidence could aid the petitioner in proving his entitlement to habeas relief, and whether the evidence may permissibly be considered by a habeas court?

ORDER OF APRIL 25, 2022:

THE MOTION OF RESPONDENT FOR APPOINTMENT OF COUNSEL IS GRANTED, AND MICHAEL J. BENZA, ESQUIRE, OF CHAGRIN FALLS, OHIO, IS APPOINTED TO SERVE AS COUNSEL FOR RESPONDENT IN THIS CASE.

CERT. GRANTED 1/14/2022