No. 25-___

IN THE

Supreme Court of the United States

JOSEPH WALTERS, DIRECTOR, VIRGINIA DEPARTMENT OF CORRECTIONS,

Petitioner,

v.

CHRISTOPHER COLEMAN,

Respondent.

On Petition For A Writ Of Certiorari To The United States Court of Appeals for the Fourth Circuit

PETITION FOR A WRIT OF CERTIORARI

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Dated: January 16, 2026

QUESTIONS PRESENTED

1. Whether the Fourth Circuit violated the Anti-terrorism and Effective Death Penalty Act (AEDPA) and the party-presentation principle by granting habeas relief based on its *de novo* review of the state court's decision.

2. Whether the Fourth Circuit violated AEDPA and the party-presentation principle by granting habeas relief on a state-court judgment that was not before it.

PARTIES TO THE PROCEEDING

Petitioner is Joseph Walters, Director of the Virginia Department of Corrections. Respondent is Christopher Coleman, an inmate in Director Walters's custody.

STATEMENT OF RELATED PROCEEDINGS

Circuit Court for Roanoke County, Virginia:

Commonwealth v. *Coleman*, Nos. CR11-562, -565, -606 (sentence entered on August 24, 2012)

Circuit Court for the City of Roanoke, Virginia:

Commonwealth v. *Coleman*, Nos. CR11-983, -984 (sentence entered on August 24, 2012)

Court of Appeals of Virginia:

Coleman v. *Commonwealth*, No. 1770-12-3 (sentence affirmed on March 7, 2013);

Coleman v. *Commonwealth*, No. 1769-12-3 (sentences affirmed on March 7, 2013)

Supreme Court of Virginia:

Coleman v. *Commonwealth*, No. 130579 (appeal denied on August 28, 2013);

Coleman v. *Commonwealth*, No. 130547 (appeal denied on August 28, 2013)

Circuit Court for Roanoke County, Virginia:

Coleman v. *Wright*, No. 14-1054 (state petition for postconviction relief denied May 16, 2018)

Circuit Court for the City of Roanoke, Virginia:

Coleman v. *Wright*, No. CL14-1444 (state petition for postconviction relief denied May 18, 2018)

Supreme Court of Virginia:

Coleman v. *Clarke*, No. 181066 (appeal from Roanoke County postconviction relief order dismissed as untimely on November 20, 2018);

Coleman v. *Clarke*, No. 181067 (appeal from City of Roanoke postconviction relief order denied on April 1, 2019)

United States District Court (W.D. Va.):

Coleman v. *Clarke*, No. 7:19-cv-000386 (June 15, 2020)

United States Court of Appeals for the Fourth Circuit:

Coleman v. *Dotson*, No. 20-7083 (judgment entered November 21, 2025; motion to stay mandate denied December 16, 2025)

TABLE OF CONTENTS

Page(s)

TABLE OF CONTENTS

TABLE OF CONTENTS

Page(s)

TABLE OF AUTHORITIES

Page(s)

Federal Cases:

TABLE OF AUTHORITIES

Page(s)

TABLE OF AUTHORITIES

Page(s)

OPINIONS BELOW

The opinion of the Fourth Circuit, App.1a-158a, is reported at 160 F.4th 472. The opinion of the district court denying the federal habeas petition, App.159a-201a, is unreported but available at 2020 WL 3202338.

The opinions of the Court of Appeals of Virginia affirming Coleman's sentences, App.243a-249a, are unreported. The orders of the Supreme Court of Virginia denying review, App.239a-242a, are unreported. The opinions of the state habeas court denying relief, App.205a-238a, are unreported, as are the orders of the Supreme Court of Virginia dismissing Coleman's habeas appeal for Roanoke County, App.203a-204a, and denying review of the habeas appeal for Roanoke City, App.202a.

JURISDICTION

The Fourth Circuit issued its decision on November 21, 2025. This Court has jurisdiction under 28 U.S.C. § 1254(1).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

The Sixth Amendment to the United States Constitution provides in relevant part: "In all criminal prosecutions, the accused shall enjoy the right . . . to have the Assistance of Counsel for his defence."

Section 2254 of Title 28 of the United States Code, as amended by the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA), provides in relevant part:

> (d) An application for a writ of habeas corpus on behalf of a person in custody pursuant to the judgment of a State court shall not be granted

> with respect to any claim that was adjudicated on the merits in State court proceedings unless the adjudication of the claim—
>
> (1) resulted in a decision that was contrary to, or involved an unreasonable application of, clearly established Federal law, as determined by the Supreme Court of the United States; or
>
> (2) resulted in a decision that was based on an unreasonable determination of the facts in light of the evidence presented in the State court proceeding.

INTRODUCTION

The Fourth Circuit has once again violated AEDPA and "grant[ed] relief on a claim that [the habeas petitioner] never asserted and that the State never had the chance to address." *Clark* v. *Sweeney*, No. 25-52, 2025 WL 3260170, at *2 (U.S. Nov. 24, 2025) (per curiam). It conducted a *de novo* review of one state court judgment, refusing to defer to the state court. And it granted habeas relief on a second state court judgment that was not before the court, because the habeas petitioner never appealed that claim. As the dissent explained, the Fourth Circuit's rulings "fundamentally misunderstand[] the limited nature of [a federal court's] review of state court decisions under AEDPA." App.132a (Rushing, J., dissenting).

The Fourth Circuit majority "disregards AEDPA at every turn." App.126a (Rushing, J., dissenting). In considering a claim of ineffective assistance of counsel, "deference to the state court should be near its apex." *Sexton* v. *Beaudreaux*, 585 U.S. 961, 968 (2018) (per curiam). Yet the Fourth Circuit refused to

defer at all. App.107a-108a. It asserted that *de novo* review was appropriate because the state court "applied an incorrect burden of proof." App.107a. But this holding violates the fundamental "principle of party presentation." *Sweeney*, 2025 WL 3260170, at *1. The habeas petitioner, Christopher Coleman, neither claimed that the state court applied an incorrect legal standard nor disputed that AEDPA deference applied. Thus, "[t]he Fourth Circuit transgressed the party-presentation principle" by "devis[ing] a new" claim that Coleman "never asserted." *Id.* at *2. The Fourth Circuit also violated this Court's precedents by "mischaracteriz[ing]" the state court's ruling. *Woodford* v. *Visciotti*, 537 U.S. 19, 22 (2002) (per curiam). The state court did not apply an incorrect legal standard, and the Fourth Circuit should have "presum[ed] that state courts know and follow the law." *Id.* at 24.

Under the deferential AEDPA standard that it should have applied, the Fourth Circuit plainly erred in granting habeas relief here. Such relief is warranted only for "'extreme malfunctions'" in state criminal justice systems. *Harrington* v. *Richter*, 562 U.S. 86, 102-03 (2011). The state court must have "manage[d] to blunder so badly" "that every fair-minded jurist would disagree." *Mays* v. *Hines*, 592 U.S. 385, 392 (2021) (per curiam). That standard cannot be met here. Over a 24-hour period, Coleman committed a series of violent and unprovoked attacks that left multiple victims with serious injuries. He shot a woman, damaging her spine and permanently disabling her. He then attempted to run over her mother with his truck. And he locked a man in a bathroom, kicking and stomping on him repeatedly. The state court reasonably determined that the

additional evidence Coleman claimed his counsel should have introduced as to his military service, mental condition, and childhood would not have resulted in a shorter sentence.

The Fourth Circuit also violated AEDPA and the party-presentation principle by ordering resentencing on a state court judgment that was not even before it. Coleman committed his crimes in two different jurisdictions, resulting in two state judgments. The district court dismissed Coleman's petition challenging one of those judgments as untimely under AEDPA's statute of limitations, and Coleman chose not to appeal that ruling. Yet the Fourth Circuit nonetheless ordered "plenary resentencing" on that judgment, App.96a, again "granting relief on a claim that [Coleman] never asserted and that the State never had the chance to address." *Sweeney*, 2025 WL 3260170, at *2.

The Fourth Circuit majority clearly felt that Coleman's state court sentences were overly harsh, even expressing its "hope . . . that any future resentencing proceedings will be conducted by a new judge." App.121a n.13. But "[t]he role of a federal habeas court is . . . not to apply *de novo* review of factual findings and to substitute its own opinions" for those of state courts. *Davis* v. *Ayala*, 576 U.S. 257, 276 (2015). Federal habeas review of state convictions "'disturbs the State's significant interest in repose for concluded litigation, denies society the right to punish some admitted offenders, and intrudes on state sovereignty to a degree matched by few exercises of federal judicial authority.'" *Richter*, 562 U.S. at 103 (citation omitted). This Court has therefore repeatedly admonished lower courts—including the

Fourth Circuit—to respect their limited role under AEDPA. The Fourth Circuit has again failed to do so, committing "an egregious overreach into the operation of [state] criminal courts." App.158a (Rushing, J., dissenting). This Court should grant the petition and reverse.

STATEMENT OF THE CASE

A. Coleman's crimes

Coleman committed three violent attacks within a 24-hour period on March 17, 2011.

1. In the early morning hours of March 17, a highly intoxicated Coleman and his friend, Taylor Nutt, drove to David Moore's home in Roanoke County, Virginia. App.5a. Moore asked Coleman to leave, and Coleman became belligerent. *Ibid*. Moore's wife, Mary Cook-Moore, then took Coleman across the street to her parents' home, so that he would not attempt to drive while intoxicated. *Ibid*.

Cook-Moore opened a safe to retrieve her pain medication. *Ibid*. Coleman saw a pistol in the safe, pushed Cook-Moore aside, and grabbed it. *Ibid.* He told Cook-Moore he would show her how to handle the gun. *Ibid*. He then held a "terrified" Cook-Moore at gunpoint for two hours, repeatedly unloading and reloading the gun and pointing it at her, while she pleaded with him to stop. App.5a, 161a. Coleman eventually held the loaded gun against Cook-Moore's body and fired. *Ibid*. The bullet tore through Cook-Moore's right leg and abdomen, and shattered one of her vertebrae. App.7a.

Awoken by the gunshot and her daughter's cries, Cook-Moore's mother, Dana Cook, ran downstairs. App.6a. Cook ordered Coleman to get away from her

daughter, and Coleman went back to Moore's house. *Ibid*. Roanoke County police arrested Coleman and released him on bond that same day. *Ibid*.

Cook-Moore underwent multiple surgeries for her wounds. App.7a. The shooting left her paralyzed on her right side (from her abdomen to her toes) for months. App.18a. And her injuries caused vascular necrosis in her right leg, putting it at risk of amputation. *Ibid*.

2. In the afternoon of March 17, the recently-released Coleman returned to Moore's house, banging on the door and attempting to enter. App.7a. Moore called the police, but by the time they arrived, Coleman had left. *Ibid*. Coleman returned around 7:00 p.m. and retrieved his truck, which was parked at Moore's house. *Ibid*. Cook told Coleman that he was no longer welcome on the family's property. *Ibid*. Coleman then attempted to run over Cook with his truck. App.7a, 136a. He hit a stop sign and sped off, nearly hitting another person. *Ibid*.

3. Around 10:30 p.m. on March 17, Coleman and Nutt were at a bar in the City of Roanoke, Virginia. App.7a-8a. Coleman was visibly intoxicated, to the point that the bartender had stopped serving him alcohol. App.8a, 163a. Coleman and Nutt had a brief conversation with a customer named Tyler Durham, during which Coleman told Durham "[y]ou look scared to me." App.8a, 164a.

At approximately 11:00 p.m., Coleman and Nutt followed Durham into the men's restroom. *Ibid*. Nutt locked the restroom door. App.164a. Coleman forced Durham to the floor, twisting Durham's ankle and leg, and then Coleman and Nutt stomped and kicked Durham repeatedly. App.8a. The attack stopped only

when the bar manager unlocked and opened the restroom door. *Ibid.* Coleman and Nutt ran out of the bar and left in Coleman's truck. *Ibid.*

Durham's ankle was broken in three places. *Ibid.* He later underwent surgery, needing two rods and nine screws to repair his ankle. App.8a, 165a.

B. Coleman's sentencing

Two courts of the Commonwealth of Virginia adjudicated prosecutions of Coleman for the crimes he had committed in two jurisdictions. JA239; JA242-43; see App.9a.[1] The Circuit Court for the City of Roanoke adjudicated a malicious wounding charge for Coleman's attack on Durham. JA239. Coleman pleaded no contest. *Ibid.* The Circuit Court for the County of Roanoke adjudicated charges related to Coleman's shooting of Cook-Moore and attack on Cook. JA242-43. Pursuant to a plea agreement, Coleman pleaded guilty to malicious wounding, abduction, and reckless driving, and the prosecutor dropped other charges. *Ibid.* Coleman did not have a sentencing agreement. App.10a.

Because Roanoke City and Roanoke County both fall within the 23rd judicial district of Virginia, a single judge held a consolidated sentencing hearing on the separate convictions. App.10a. At the sentencing hearing, Cook-Moore testified about how the shooting had "completely changed [her] life." App.19a. She was partially paralyzed for months. App.18a, 168a. The injuries to her spine "caused a

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[1] Citations to "JA" are to the Joint Appendix filed in the Fourth Circuit. *Coleman* v. *Clarke*, No. 20-7083 (4th Cir. filed Sept. 13, 2022) (ECF No. 29).

great deal of pain." App.168a. They also required expensive medical care. *Ibid.* She had previously been an "avid gardener" and competitive horseback rider, but now she could no longer garden or ride horses. App.19a.

The court admitted a presentence report and discretionary sentencing guidelines, and the probation officer who prepared them testified. App.10a. She stated that Coleman denied any juvenile court history, but her research uncovered that he had multiple contacts with the juvenile justice system, one of which culminated in a felony conviction. App.11a, 16a. The presentence report adjusted the discretionary guidelines range upwards due to the juvenile convictions. App.15a-16a. The report also related that Coleman was treated for substance abuse and mental health issues as a minor. App.11a-12a. The report conveyed that Coleman's father was incarcerated, was "a registered sex offender" and had "a mental health and substance abuse history." App.12a.

The presentence report also detailed Coleman's medical history. App.13a. Coleman was "wounded in a rocket attack" while serving in the Army in Afghanistan and "sustained a concussion and traumatic brain injury." *Ibid.* Coleman told the probation officer that he had "more than one concussion" during his military service, but stated he had "no medical difficulties as a result of [these] injuries." *Ibid.* Coleman reported to the probation officer that he was voluntarily hospitalized the day after he committed his crimes at the Lewis-Gale Center for Behavioral Health, where he was diagnosed with post-traumatic stress disorder (PTSD). App.14a. The

presentence report also discussed Coleman's prior mental health history, including multiple hospitalizations related to suicidal gestures and substance abuse. App.11a.

Coleman also testified at the sentencing hearing, including about his military service. Coleman enlisted in the Army in March 2007. App.169a. He reenlisted after spending a year in Iraq, because serving in the military gave him "a purpose in life." App.150a, 169a. He was stationed at Fort Bragg, where he trained soldiers, and was then deployed to Afghanistan. App.169a. Coleman testified that he suffered a traumatic brain injury from a rocket attack in Afghanistan and was hospitalized for six weeks. App.21a-22a, 169a. Coleman also testified that in October 2010, while on foot patrol with his unit, he saw his best friend killed by an improvised explosive device. App.21a, 169a. Coleman stated that he saw around fifteen fellow service members killed in Afghanistan and participated in approximately thirty firefights. App.21a. Coleman received numerous commendations and medals, including a Purple Heart and the Army Commendation Medal. App.27a, 179a.

Coleman testified that he saw a neurologist about his traumatic brain injury but was never treated for it or for PTSD. App.22a. Coleman stated that, upon his return to Fort Bragg, he felt increasingly anxious, paranoid, and irritable. App.22a-23a, 169a. He mentioned these issues to his commanding officer, who told him to seek behavioral health services, but Coleman never did. App.169a. Coleman instead took leave to return home to Virginia. App.170a. At the time, he was drinking heavily and taking both vali-

um and painkillers. *Ibid*. Coleman explained that he chose not to disclose the juvenile offenses to the probation officer because the records had been expunged. *Ibid*.

In pronouncing sentence, the court noted the irreparable physical and emotional damage Coleman's crimes caused. JA320; see App.171a. The court stated that Coleman's crimes were "of a nature and of a quality and of a magnitude that I could not expect the citizens of the Roanoke Valley [or] . . . anyone else to have any respect for the law if the sentence in this case was not of a fairly serious magnitude." JA321. The court found Coleman's "commendable" military service and his youth to be mitigating factors. JA320-22; see App.143a, 171a. But the court gave the most weight to the timing of the offenses as an aggravating factor: when Coleman was arrested after shooting Cook-Moore, he had an "opportunity to cool," and "decrease [his] inebriation." JA322; see App.142a. Instead, Coleman continued drinking, and went on to attack both Cook and Durham later the same day. JA322.

The court concluded that the "case cannot be judged" under Virginia's discretionary sentencing guidelines "because . . . the aggravat[ing] circumstances are just beyond the pale of the guidelines." App.219a; see App.34a. The court sentenced Coleman to 15 years with 8 years suspended, for an active sentence of 7 years, on the Roanoke City charge of maliciously wounding Durham. App.34a-35a & n.3; App.171a-172a. On the Roanoke County charges for the attacks on Cook-Moore and Cook, the court sentenced Coleman to 20 years for malicious wounding, with 5 years suspended; 10 years for

abduction, with 5 years suspended; and 12 months for reckless driving, for an active sentence of 21 years. *Ibid*.

The Virginia courts affirmed Coleman's sentences on direct appeal. App.244a-250a.

C. State post-conviction proceedings

Coleman filed two state habeas petitions, one in Roanoke County and one in Roanoke City, to challenge the two judgments. Each claimed that his counsel had provided unconstitutionally ineffective assistance at the sentencing hearing. App.172a. The petitions alleged that Coleman's counsel performed deficiently in: (1) failing to obtain medical records showing that Coleman had two traumatic brain injuries and PTSD; (2) failing to have a psychological evaluation performed; and (3) providing only a "cursory view of Coleman" during the proceeding. App.172a-173a. The petitions also alleged that his counsel should have challenged the use of the expunged juvenile records, including in Coleman's sentencing guidelines. App.173a-174a.

The same judge who had sentenced Coleman also presided over the state habeas proceedings. App.27a, 185a. The court ordered an evidentiary hearing into Coleman's claims. App.174a. Witnesses at the hearing included Coleman's juvenile probation officer, stepfather, wife, and a neighbor. App.174a-182a. They testified that Coleman was "compassionate" and "kind." *Ibid*. They also testified about difficulties in Coleman's childhood, including mental health problems and his father's criminality. *Ibid.*; JA854-888. Coleman's commanding officer in Afghanistan testified that Coleman was a skilled and trustworthy soldier. App.177a. He also testified about Coleman's

combat experiences and injuries, corroborating Coleman's testimony at the sentencing hearing. App.177a-179a.

Coleman submitted extensive documentary evidence. Juvenile records detailed Coleman's treatment for substance abuse and mental health disorders. App.63a, 174a. Military records showed that Coleman had two traumatic brain injuries. App.178a-179a. Treatment notes, however, recorded Coleman's CT scan as normal. App.82a, 145a; JA487. Additional treatment records from Lewis-Gale Hospital diagnosed Coleman with alcohol and opioid dependance and PTSD in March 2011. App.58a-59a, 147a. Finally, he submitted two psychological evaluations. Dr. JoEllen Rogers opined that Coleman's crimes were caused by his military PTSD and brain injuries. App.59a-62a, 173a. Dr. Victoria Reynolds opined that Coleman could have PTSD due to "traumatic" childhood experiences. App.62a-64a.

The state court denied Coleman's petitions. App.205a, 222a.[2] The court held that "under the criteria set forth in *Strickland* v. *Washington*, 466 U.S. 668 (1984), [Coleman] has not shown that his attorney's actions or omissions prejudiced" him. App.220a. Therefore, Coleman "has not proven that his attorney was ineffective." *Ibid*.

The court found that the reports of Drs. Rogers and Reynolds would not have aided Coleman. App.206a-212a. The court found that Dr. Rogers's

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[2] The state court issued separate opinions denying the Roanoke City and Roanoke County petitions on the same grounds. Both opinions are reproduced in the appendix, 205a-238a.

"sweeping conclusion" that Coleman's crimes resulted from his military injuries was "not supported by the records upon which she relies." App.207a. And Dr. Reynolds's report was limited and performed "without an examination" of Coleman. *Ibid*. The court noted that Coleman's counsel had elicited extensive testimony regarding Coleman's traumatic military experiences at the sentencing hearing. App.210a-211a. Moreover, none of the new evidence "showed the connection between the alleged PTSD and his criminal conduct" sufficient to mitigate the crimes. App.211a. The evidence provided "no explanation why Coleman's alleged PTSD caused him to terrorize and shoot his female victim or resulted in the brutal and vicious unprovoked assault" on Durham. *Ibid*. The crimes were "more clearly explained by Coleman's substance abuse and his prior history of bad behavior." App.212a. Further, the new evidence did not affect "the most outrageous factor in Coleman's crimes"—that he committed multiple violent and "unprovoked crime[s] within 24 hours." *Ibid*.

The court found that the failure to introduce the medical records also did not prejudice Coleman. App.212a-214a. The military medical records showed "a normal neurological examination," including normal cognitive functioning and no decrease in ability to concentrate. App.213a. The court concluded that the report "would not have shown a brain injury, if any, sufficient to mitigate the outrageous nature of the offenses." *Ibid*. The Lewis-Gale records revealed that, at the time of the crimes, Coleman had "'escalated opioid use, abusing more readily and also, alcohol as well.'" *Ibid*. "[T]he records discuss substance abuse more than anything else." App.214a.

The medical records were thus a "double-edged sword," that overall "would have exacerbated his liability." App.214a, 219a.

The court also found that Coleman was not prejudiced by "cursory" evidence regarding his childhood and character. The presentence report introduced at the sentencing "discuss[ed] the [juvenile] placements, the father's circumstances and Coleman's mental health history, including numerous hospitalizations." App.214a. The court rejected Coleman's argument that the additional juvenile "records [were] overwhelmingly helpful to [him]," because it "ignore[d] the consistent findings of substance-abuse arising again and again in that history." App.215a. Coleman's additional character evidence showed only that he was "likeable and non-violent when he was not abusing drugs or alcohol." App.218a.

The court further held that Coleman was not prejudiced by counsel's failure to object to the consideration of expunged juvenile records. Coleman's new evidence "could not have been presented without revealing his history of interaction with the juvenile courts." App.215a. And Coleman was not prejudiced by the "inclusion of vacated juvenile adjudications in the sentencing guidelines" because the sentencing court did not rely on the discretionary guidelines range, finding the case to be "beyond the pale of the guidelines." App.219a.

Based on these factual findings, the state court held that the new evidence "would not have resulted in a different outcome at sentencing," and therefore Coleman had "not shown that his attorney's actions or omissions prejudiced" him under *Strickland*. App.219a-220a. The court dismissed the Roanoke

County habeas case on May 16, 2018. App.238a. Two days later, the court dismissed the Roanoke City habeas case. App.221a. Coleman appealed both rulings to the Supreme Court of Virginia on the same day. App.189a. That court dismissed as untimely the appeal of the Roanoke County order. App.203a. Months later, it denied Coleman's appeal from the Roanoke City order, without an opinion. App.202a.

D. Federal habeas proceedings

1. Coleman filed a federal habeas petition, raising ineffective assistance of counsel claims regarding his Roanoke County and Roanoke City sentencing orders. App.159a. The district court dismissed Coleman's challenge to his Roanoke County judgment as untimely. App.160a, 190a. The tolling of AEDPA's one-year statute of limitations ended when the state supreme court dismissed Coleman's appeal as untimely, and Coleman's deadline to seek federal habeas review had expired. App.189a-190a.

The district court held that Coleman's challenge to the Roanoke City judgment was timely but lacked merit. App.190a-201a. To satisfy *Strickland*'s prejudice requirement, "Coleman must show that there was 'a reasonable probability that the outcome of the proceedings would have been different,' which means 'a probability sufficient to undermine confidence in the outcome.'" App.193a (quoting *Strickland*, 466 U.S. at 694). The court held that the "deferential standard of review prescribed by § 2254(d) will apply," and explained that this standard is "doubly deferential" when "§ 2254 overlaps with the deferential standard under *Strickland*." App.192a-193a. Thus, "the question is not whether the federal habeas court believes that the state court was correct, but

whether the state court's decision was reasonable." App.193a-194a (citing *Schriro* v. *Landrigan*, 550 U.S. 465, 473 (2007)).

Applying this standard, the district court held that Coleman failed to demonstrate that the "state habeas decision was unreasonable on the factual and legal issues dispositive of [his] claim." App.194a. "The sentencing court was aware of the basic facts about Coleman's psychological condition," as well as "Coleman's military service, traumatic brain injuries," and the traumatic "death of a fellow soldier." App.194a-195a. Further, Coleman's "dependence on alcohol and opiates was a prominent theme in the medical records" he contended that his counsel should have introduced. App.195a. It was thus "a reasonable determination of the facts" for the state court to hold that these records would not have resulted in a lighter sentence. App.196a. The state habeas court also reasonably determined that the use of the juvenile convictions in the sentencing guidelines did not prejudice Coleman, because the sentencing judge did not rely on the guidelines. *Ibid*. Overall, the state court reasonably concluded that "the nature of the crimes and how closely in time they were committed were the primary factors driving the outcome, and that counsel's deficiencies did not prejudice Coleman." App.199a. The court denied a certificate of appealability. App.201a.

2. The Fourth Circuit granted a certificate of appealability on two questions: whether the district court properly denied relief on Coleman's claims that his counsel was ineffective in failing to (1) introduce additional sentencing evidence, and (2) object to the use of the expunged juvenile records. App.91a-92a.

"Having conceded the timeliness issue in the district court, Coleman did not seek a COA as to that procedural question." App.92a.

A divided panel of the Fourth Circuit reversed. Judge King, joined by Judge Gregory, wrote for the majority. Although Coleman did not dispute that AEDPA deference applied, the majority refused to defer to the state court. App.107a-108a. The majority interpreted the state court's statement that the new evidence "'would not have' resulted in a different sentence" as applying an erroneous legal standard. App.103a, 106a-107a. It concluded that the state court had "employed a standard similar to the forbidden preponderance-of-the-evidence standard," rather than *Strickland*'s "reasonable probability" standard. App.106a. The majority further held that the state court did not consider the "totality of the evidence," because it "unreasonably discounted evidence favorable to Coleman." App.106a-107a. "In these circumstances," the majority held, "we are left to conduct a de novo analysis of the prejudice issue." App.107a-108a.

The majority then weighed Coleman's new evidence itself. It concluded that Coleman had "demonstrated prejudice and thus proven his Sixth Amendment ineffective assistance of counsel claim." App.108a. While holding that the state court's decision was not "contrary to" *Porter* v. *McCollum*, 558 U.S. 30, 39 (2009) (per curiam), the majority repeatedly analogized to that case. App.107a n.11, 115a-119a. It concluded that Coleman was prejudiced because the prosecutor had portrayed him as having "always been a violent and compassionless person." App.110a. The "wealth of new evidence" introduced

at the habeas hearing as to "Coleman's abusive childhood, heroic and trauma-inducing military service, combat-related traumatic brain injuries, untreated PTSD, and resort to self-medication with drugs and alcohol" would have shown otherwise. App.112a, 116a. The majority stated that the new evidence provided "a compelling basis for some measure of mercy that the judge previously saw insufficient reason to accord." App.118a. The majority further held that Coleman was prejudiced by the failure to object to the expunged juvenile records, particularly their use to "aggravate Coleman's sentence." App. 122a.

Although Coleman did not appeal the dismissal of his challenge to the Roanoke County judgment, the majority nevertheless ordered habeas relief on it. It held that because the Roanoke County judgment "involves the same consolidated sentencing proceedings, the same combined sentence, and the same Sixth Amendment ineffective assistance of counsel claim," "Coleman is entitled to plenary resentencing not only on his conviction in the Circuit Court for the City of Roanoke, but also on his convictions in the Circuit Court for the County of Roanoke." App.95a-96a. It held that this habeas relief was analogous to the "federal 'sentencing package doctrine.'" App.95a. Finally, the majority "express[ed] [its] hope" that "any future resentencing proceedings will be conducted by a new judge." App.121a n.13.

Judge Rushing dissented, concluding that the "majority disregards AEDPA at every turn." App.126a. The majority erred in refusing to defer based on "a supposed defect in the legal standard the state habeas court applied—a defect Coleman did not raise

and no party has briefed." App.126a. Because "none of the parties read the state court's opinion as applying an incorrect legal standard," any such claim was "forfeited." App.129a. The majority was also incorrect; the "state court did not set a higher standard than *Strickland*." App.130a. Instead, the state court found that "the new evidence definitely would not have changed the sentence," and thus that there was "not a 'reasonable probability' of a different outcome." App.131a.

The dissent further explained that the majority "fundamentally misunderstands the limited nature of our review of state court decisions under AEDPA." App.132a. Federal courts have "no license to override a state court's habeas ruling because the court did not mention in its written opinion certain evidence we find persuasive." *Ibid*. Under the correct standard of review, "the record amply supports the conclusion that the state court did not act unreasonably in denying Coleman relief." App.133a. Unlike in *Porter*, "the sentencing court had information regarding Coleman's family history, substance abuse, mental health struggles, military service, and combat-related injuries." App.140a. And the new evidence Coleman presented at the state habeas hearing "all point[ed] in the same direction: that Coleman struggled with anger, substance abuse, and troubled mental health." App.146a. It was "not unreasonable, therefore, for the state habeas court" to conclude that the aggravating facts in the new evidence "would have outweighed the mitigating effects." App.148a. It was likewise not unreasonable to conclude that consideration of the juvenile offenses did not prejudice Coleman because the court did not use the sentencing guidelines. App.153a-154a.

Finally, the dissent explained that the majority had "multiplie[d] its error by vacating not only Coleman's state sentence on the sole conviction before us in this appeal but also vacating his state sentences on other convictions Congress has forbidden us to review." App.126a. Because Coleman did not appeal the district court's dismissal of the untimely petition as to the Roanoke County judgment, "the majority acts without authority" in granting relief on that judgment. App.155a. The dissent concluded that it could not "join such an egregious overreach into the operation of Virginia's criminal courts." App.158a.

REASONS FOR GRANTING THE PETITION

First, the petition should be granted because the Fourth Circuit majority violated the party-presentation principle and AEDPA by conducting a *de novo* review of the state court's decision. As this Court has repeatedly instructed, AEDPA requires highly deferential review of state court decisions, especially for *Strickland* claims. Habeas relief is appropriate only if "every fairminded jurist would disagree" with the state court. *Mays*, 592 U.S. at 392. But the Fourth Circuit majority refused to defer at all. Instead, it purported to justify a *de novo* review by contorting the state court's opinion. This holding violated the party-presentation principle: Coleman never argued that *de novo* review applied or that the state court used an erroneous legal standard. Under the correct deferential analysis, Coleman's claim plainly does not meet AEDPA's very high bar for habeas relief.

Second, the petition should be granted because the Fourth Circuit erred in granting habeas relief on a

state judgment that was not even before it. Coleman did not appeal the district court's ruling that his challenge to the Roanoke County judgment was time-barred. Yet the Fourth Circuit granted relief on that judgment anyway. This ruling flouts AEDPA's strict statute of limitations. And it again violates the party-presentation principle, because Coleman did not argue that the Fourth Circuit should grant relief on the Roanoke County judgment.

I. The Fourth Circuit's *de novo* review of the state court ruling and its grant of habeas relief defy this Court's precedents, the party-presentation principle, and AEDPA

A. Under this Court's precedents, the party-presentation principle and AEDPA forbid the Fourth Circuit's *de novo* review of the state court decision

The petition should be granted as to the first question presented, because the Fourth Circuit's refusal to defer to the state habeas court violates this Court's precedents, the party-presentation principle, and AEDPA.

1. Because no party argued that the state court had applied the wrong legal standard or that the Fourth Circuit should conduct a *de novo* review, the Fourth Circuit violated this Court's precedents on the party-presentation principle. Just two months ago, this Court summarily reversed the Fourth Circuit for violating the party-presentation principle in another AEDPA case. *Sweeney*, 2025 WL 3260170, at *1, reversing *Sweeney* v. *Graham*, No. 22-6513, 2025 WL 800452 (4th Cir. Mar. 13, 2025) (Gregory, J.). Just as in *Sweeney*, the Fourth Circuit majority

here "departed dramatically from the principle of party presentation," by "granting relief on a claim that [the habeas petitioner] never asserted and that the State never had the chance to address." *Id.* at *1, 2.

The "principle of party presentation" is a central tenet of "our adversarial system of adjudication." *United States* v. *Sineneng-Smith*, 590 U.S. 371, 375 (2020). Under that principle, the parties "frame the issues for decision," and judges serve as "neutral arbiter[s] of matters the parties present." *Ibid.* (quoting *Greenlaw* v. *United States*, 554 U.S. 237, 243 (2008)). In other words, "courts 'call balls and strikes'; they don't get a turn at bat." *Sweeney*, 2025 WL 3260170, at *1 (quoting *Lomax* v. *Ortiz-Marquez*, 590 U.S. 595, 599 (2020)). This principle "is more than just a prudential rule of convenience; its observance, at least in the vast majority of cases, distinguishes our adversary system of justice from the inquisitorial one." *United States* v. *Burke*, 504 U.S. 229, 246 (1992) (Scalia, J., concurring).

The Fourth Circuit's disregard for the party-presentation principle is especially damaging here. It enabled the court's disregard for a fundamental part of AEDPA's statutory scheme: deference to state courts. To qualify for federal habeas relief under AEDPA, "a state prisoner must show that the state court's ruling on the claim being presented in federal court was so lacking in justification that there was an error well understood and comprehended in existing [holdings of this Court] beyond any possibility for fairminded disagreement." *Richter*, 562 U.S. at 103. "If this standard is difficult to meet, that is because it was meant to be." *Id.* at 102.

Federal habeas review "'disturbs the State's significant interest in repose for concluded litigation, denies society the right to punish some admitted offenders, and intrudes on state sovereignty to a degree matched by few exercises of federal judicial authority.'" *Id.* at 103 (citation omitted). Congress limited this intrusive authority to be only a "guard against extreme malfunctions in the state criminal justice system,' not a substitute for ordinary error correction through appeal." *Id.* at 102-03 (internal quotation marks and citation omitted). Therefore, "[t]he role of a federal habeas court is . . . not to apply *de novo* review of factual findings and to substitute its own opinions for the determination made" by the state courts. *Davis*, 576 U.S. at 276.

As this Court recently emphasized in *Sweeney*, "[w]hen assessing a *Strickland* claim that a state court has already adjudicated, the 'analysis is doubly deferential.'" *Sweeney*, 2025 WL 3260170, at *1 (quoting *Dunn* v. *Reeves*, 594 U.S. 731, 739 (2021) (per curiam)). The "federal court may grant relief only if *every* 'fairminded jurist' would agree that *every* reasonable lawyer would have made a different decision." *Ibid.* AEDPA deference for *Strickland* claims has "special importance." *Shinn* v. *Kayer*, 592 U.S. 111, 118 (2020) (per curiam). "Ineffective-assistance claims can function 'as a way to escape rules of waiver and forfeiture,' and they can drag federal courts into resolving questions of state law." *Id.* at 118-19. (citation omitted). Moreover, because "'the *Strickland* standard is a general standard, a state court has even more latitude to reasonably determine that a defendant has not satisfied that standard.'" *Id.* at 119 (citation omitted). Thus, where a federal court reviews a state habeas decision on a

Strickland claim, "deference to the state court should . . . be[] near its apex." *Sexton*, 585 U.S. at 968.

Yet here, the Fourth Circuit refused to defer to the state court at all and instead conducted a *de novo* review. App.107a. The majority based that decision on "a supposed defect in the legal standard the state habeas court applied—a defect Coleman did not raise and no party has briefed." App.126a (Rushing, J., dissenting). Coleman did not argue that the state court had violated *Strickland*'s "reasonable probability" standard for determining prejudice. To the contrary, his Fourth Circuit briefing explained that the state court "determined that there was no reasonable probability [that the sentencing court] would have sentenced Coleman to a lesser term of years." Opening Brief at 16, *Coleman* v. *Clarke*, No. 20-7083 (4th Cir. filed Sept. 13, 2022) (ECF No. 28). Thus, "none of the parties read the state court's opinion as applying an incorrect legal standard." App.129a (Rushing, J., dissenting).

Nor did Coleman argue that the Fourth Circuit should review his claim *de novo*. Rather, Coleman contended that "[t]he district court applied the correct standard" of AEDPA deference, but it should have found that "[t]he state court's decision was an unreasonable determination of the facts." Opening Brief at 21, 23, *Coleman* v. *Clarke*, No. 20-7083 (4th Cir. filed Sept. 13, 2022) (ECF No. 28). Any claim that the state court violated *Strickland*'s legal standard or that *de novo* review applied was a "forfeited argument, to which the State . . . had no opportunity to respond." App.129a (Rushing, J., dissenting). Thus, just as in *Sweeney*, the Fourth Circuit here "transgressed the party-presentation

principle by granting relief on a claim" that Coleman "never asserted and that the State never had the chance to address." *Sweeney*, 2025 WL 3260170, at *2.

The petition should therefore be granted because the Fourth Circuit has once again "departed dramatically from the principle of party presentation" and used that departure as a basis to disregard AEDPA deference, defying this Court's precedents. *Sweeney*, 2025 WL 3260170, at *1.

2. The Fourth Circuit's refusal to defer based on its misreading of the state-court opinion also violates AEDPA and this Court's precedents.

"'[M]ischaracterization of the state-court opinion'" to avoid AEDPA deference is "a path that [this Court] ha[s] long foreclosed." *Dunn*, 594 U.S. at 742 (citation omitted). A "readiness to attribute error" to state habeas rulings is "inconsistent with the presumption that state courts know and follow the law." *Woodford*, 537 U.S. at 24 (collecting cases). Thus, interpreting "imprecise" or ambiguous language as legal error violates AEDPA's "'highly deferential standard for evaluating state-court rulings.'" *Ibid.* (citation omitted).

The Fourth Circuit refused to apply this "'highly deferential standard'" here. *Woodford*, 537 U.S. at 24 (citation omitted). It "conduct[ed] a de novo analysis of the prejudice issue" based on its conclusion that the state court applied the wrong legal standard in assessing prejudice. App.107a-108a. Under *Strickland*, a defendant is prejudiced if there is "a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different." *Strickland*, 466 U.S. at

694 (citation omitted). "The likelihood of a different result must be substantial," *Richter*, 562 U.S. at 112, but need not "be shown by a preponderance of the evidence," *Strickland*, 466 U.S. at 694.

The Fourth Circuit held that the state court "employed a standard similar to the forbidden preponderance-of-the-evidence standard." App.106a. But in addition to being forfeited, this assertion is also wrong: "the state habeas court did not apply an incorrect standard." App.130a (Rushing, J., dissenting). The state court held that Coleman was not prejudiced by the failure to introduce additional evidence at his sentencing hearing because that evidence "would not have produced a different outcome at sentencing." *Ibid*. As the dissent explained, that "did not set a higher standard than *Strickland*." *Ibid*. "[T]he state court did *not* conclude that Coleman had *failed to prove* that his sentence would have been different" by a preponderance of the evidence. *Ibid*. Instead, the state court held that "the new evidence definitely would not have changed the sentence." App.131a (Rushing, J., dissenting). Rather than reducing the sentence, the new evidence "would have exacerbated [Coleman's] liability" by demonstrating "Coleman's history of substance abuse and his substance abuse at the times of his crimes." App.130a (Rushing, J., dissenting). The state court thus held that there was no "reasonable probability" of a different outcome under *Strickland* because there was "no probability of a different outcome." App.131a (Rushing, J., dissenting). And because the same judge who sentenced Coleman also ruled on his state habeas petition, he was "ideally situated" to make this determination. *Schriro*, 550 U.S. at 476.

Thus, the Fourth Circuit violated AEDPA and this Court's precedents by "mischaracteriz[ing]" the state-court decision to evade deference. *Woodford*, 537 U.S. at 22. In *Woodford*, the court of appeals similarly refused to defer by interpreting the state-court ruling as applying a preponderance-of-the-evidence standard to a *Strickland* claim—in that case, because the state court "used the term 'probable' without the modifier 'reasonably'" in several places. *Id.* at 23-24. This Court reversed, holding that AEDPA "demands that state-court decisions be given the benefit of the doubt." *Id.* at 24. In *Dunn*, this Court likewise held that the court of appeals "went astray" when it reviewed a state habeas decision *de novo* after misinterpreting it as imposing an incorrect legal standard to a *Strickland* claim. *Dunn*, 594 U.S. at 733.

This Court has frequently reminded lower courts of the importance of faithfully applying AEDPA deference. And it has frequently reversed lower courts that have failed to do so, including in *Strickland* cases. See, *e.g.*, *Mays*, 592 U.S. at 385; *Kayer*, 592 U.S. at 111; *Sexton*, 585 U.S. at 961.[3] The Court should do the same here.

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[3] See also, *e.g.*, *Woods* v. *Donald*, 575 U.S. 312 (2015) (per curiam); *Marshall* v. *Rodgers*, 569 U.S. 58 (2013) (per curiam); *Shoop* v. *Hill*, 586 U.S. 45 (2019) (per curiam); *Virginia* v. *LeBlanc*, 582 U.S. 91 (2017) (per curiam); *Kernan* v. *Hinojosa*, 578 U.S. 412 (2016) (per curiam).

B. Under the correct AEDPA standard, the Fourth Circuit clearly erred in ordering resentencing

Under the deferential standard that AEDPA requires, the Fourth Circuit should have rejected Coleman's claims. The Fourth Circuit's analysis "fundamentally misunderstands the limited nature of [federal court] review of state court decisions under AEDPA." App.132a (Rushing, J., dissenting).

The "question under AEDPA is not whether a federal court believes the state court's determination was incorrect but whether that determination was *unreasonable*—a substantially higher threshold." *Schriro*, 550 U.S. at 473 (emphasis added). Habeas relief is warranted only if the state court "managed to blunder so badly that every fairminded jurist would disagree." *Mays*, 592 U.S. at 392. That demanding standard is not close to being met here. To the contrary, "the record amply supports the conclusion that the state court did not act unreasonably in denying Coleman relief." App.133a (Rushing, J., dissenting).

Coleman contended that his counsel should have introduced more evidence at the sentencing hearing, but "the sentencing court had information regarding Coleman's family history, substance abuse, mental health struggles, military service, and combat-related injuries." App.140a (Rushing, J., dissenting). Coleman testified at the sentencing hearing about his military injuries causing brain damage and about the traumatic death of his best friend in Afghanistan. See 9, *supra*; App.21a-22a, 169a. He described his PTSD symptoms, including hypervigilance and paranoia. App.194a. The sentencing court also had

facts about Coleman's psychological condition and childhood. *Ibid.*; see 8, *supra*. Although the additional evidence that Coleman claimed his counsel should have introduced contained more details about these subjects, the substance of these topics was already available to the sentencing court. App.214a-218a; see 12-14, *supra*. And although the state habeas court did not specifically discuss every item of new evidence in its decision, the Fourth Circuit has "no license to override a state court's habeas ruling because the court did not mention in its written opinion certain evidence we find persuasive." App.132a (Rushing, J., dissenting); see *Richter*, 562 U.S. at 98-99 (explaining that the state court is not even required to state its reasoning in a written opinion).

Further, the new evidence also contained additional aggravating facts. The evidence from the sentencing and habeas hearings "all point[s] in the same direction: that Coleman struggled with anger, substance abuse, and troubled mental health." App.146a (Rushing, J., dissenting). Coleman's abuse of alcohol and opiates was a prominent theme in the new medical and juvenile records. App.214a; see 8-9, *supra*. Coleman's argument that the new "records [were] overwhelmingly helpful to" him "ignore[d] the consistent findings of substance-abuse arising again and again." App.215a. The state court reasonably found that the new evidence showed that Coleman's "substance abuse and his prior history of bad behavior" led to his crimes, more than any combat-related disorders. App.212a. Coleman's new exhibits also "inextricably address[ed] his contacts with the juvenile justice system and . . . could not have been presented without revealing his history of interaction

with the juvenile courts." App.215a. It was "not unreasonable, therefore, for the state habeas court" to conclude that aggravating facts in the new evidence "would have outweighed the mitigating effects," and that Coleman accordingly was not prejudiced. App.148a (Rushing, J., dissenting).[4]

Moreover, none of the new evidence changed the most important aggravating factor: the horrific nature of Coleman's crimes. As the state court explained, "the most outrageous factor" was that Coleman committed multiple violent, "unprovoked crime[s] within 24 hours." App.212a. After Coleman shot Cook-Moore, he was arrested, giving him an "opportunity to cool" and reduce his inebriation, but

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[4] Although the Fourth Circuit majority relied heavily on *Porter*, 558 U.S. 30, this case is "not sufficiently like *Porter* to make the different outcome here unreasonable." App.151a (Rushing, J., dissenting). *Porter* involved a *Strickland* claim for failure to introduce evidence at a sentencing hearing regarding the defendant's military service, childhood, and mental issues. See 558 U.S. at 38-40. But in *Porter*, those subjects were absent at the sentencing hearing. *Ibid.* Here, by contrast, the sentencing hearing "elaborated on [Coleman's] military service, his injuries, and the commendations he received." App.151a. In addition, the new evidence here contained a mixture of mitigating and aggravating facts, that overall "would have exacerbated [Coleman's] sentencing exposure." *Ibid.* Finally, *Porter* was a death penalty case, which required both the judge and jury to find "statutory aggravating factors without *any* mitigating circumstances." *Ibid.* (emphasis added) (Rushing, J., dissenting); see *Porter*, 558 U.S. at 32-33. Here, the sentencing judge found mitigating factors existed, including Coleman's "commendable" military service, but held that a significant term of imprisonment was nevertheless warranted due to the horrific nature of Coleman's crimes. App.171a; see 10, *supra*.

instead he chose to consume more alcohol and to attack Cook and Durham later the same day. See 10, *supra*; App.142a (Rushing, J., dissenting). Further, Coleman seriously injured his victims, especially Cook-Moore. See 6-7, *supra*. She was left partially paralyzed, reliant on 24-hour care, and unable to participate in activities that she used to enjoy. See 7-8, *supra*. As the district court held, "the nature of the crimes and how closely in time they were committed were the primary factors driving the outcome," and it was therefore reasonable for the state court to conclude "that counsel's deficiencies did not prejudice Coleman." App.199a.

Finally, the state court's decision that any erroneous calculation of Coleman's sentencing guidelines did not affect the outcome is reasonable. Virginia's sentencing guidelines are entirely discretionary; they are merely tools that judges may consider. *Luttrell* v. *Commonwealth*, 592 S.E.2d 752, 754 (Va. Ct. App. 2004); see Va. Code § 19.2-298.01(F) (sentencing guidelines "shall not be reviewable on appeal or the basis of any other post-conviction relief"). The sentencing court here concluded that "this case cannot be judged under the guidelines," because Coleman's conduct and the injuries he inflicted were "beyond the pale of the guidelines." App.219a; see App.34a. Given the discretionary nature of the guidelines and the sentencing court's decision not to follow them, the state court reasonably found that a lower guidelines range would not have resulted in a different outcome. See App.148a (Rushing, J., dissenting).

The Fourth Circuit majority clearly felt that Coleman's sentence was too harsh. The majority even expressed its "hope" that Coleman would be resen-

tenced "by a new judge" in state court. App.121a n.13. But determining the appropriate sentence for Coleman's crimes is not the Fourth Circuit's job. Federal courts of appeals have no supervisory authority over state criminal courts. See *Early* v. *Packer*, 537 U.S. 3, 10 (2002) (per curiam). A "fair-minded jurist" could find that Coleman's constitutional right to counsel was not violated. *Mays*, 592 U.S. at 392. Under AEDPA, the Fourth Circuit therefore had no authority to disturb the state court judgment. This Court should grant the petition to correct the Fourth Circuit's "egregious overreach." App.158a (Rushing, J., dissenting).

II. The Fourth Circuit violated AEDPA and the party-presentation principle by ordering resentencing on a state court judgment that was not before it

The petition should be granted as to the second question presented because the Fourth Circuit committed another fundamental error in granting habeas relief on a state-court judgment that was not even before it. Again, the Fourth Circuit's ruling violated both AEDPA and the party-presentation principle.

Coleman had two separate state court judgments sentencing him for different crimes: one from Roanoke County, and a second from Roanoke City. See 7, *supra*. Coleman's federal habeas petition challenged both judgments, but the district court's disposition of them differed. The district court dismissed Coleman's challenge to the Roanoke County judgment as untimely, holding it barred by AEDPA's one-year limitations period. App.190a; see 15, *supra*. By contrast, the district court held that Coleman's

petition was timely as to the Roanoke City judgment, but that it failed on the merits. App.190a, 200a. Coleman chose not to seek a certificate of appealability on the district court's dismissal of his challenge to the Roanoke County judgment as untimely. App.92a. The Roanoke City judgment was therefore "the sole conviction before [the Fourth Circuit] in this appeal." App.126a (Rushing, J., dissenting). Yet the Fourth Circuit ordered a "plenary resentencing" for *both* the Roanoke County and the Roanoke City convictions. App.96a; see 18, *supra*.

Coleman neither appealed the district court's ruling on the Roanoke County judgment nor argued that the Fourth Circuit should order relief on that judgment. See App.92a. Thus, the Fourth Circuit again "transgressed the party-presentation principle by granting relief on a claim that [Coleman] never asserted." *Sweeney*, 2025 WL 3260170, at *2. Worse, the Fourth Circuit did more than grant relief on a *claim* that Coleman did not assert—it granted relief on a state-court *judgment* that was not before it, because Coleman never appealed the district court's ruling on that judgment. Rather than acting as a "'neutral arbiter of matters the parties present[ed],'" *Sineneng-Smith*, 590 U.S. at 375 (citation omitted), the Fourth Circuit engaged in a "'radical transformation'" of Coleman's appeal to reach a second state judgment, *Sweeney*, 2025 WL 3260170, at *2.

This error was consequential. The Roanoke County judgment covered Coleman's most serious crimes—his abduction and shooting of Cook-Moore—along with his attempt to run over Cook. See 7, 10-11, *supra*. Accordingly, it imposed a far longer sentence: 21 years of active imprisonment, compared to seven

years of active imprisonment under the Roanoke City judgment for Coleman's attack on Durham. See 10, *supra*. The Fourth Circuit's transformation of Coleman's appeal more than tripled its impact. Thus, the Fourth Circuit blatantly violated the party-presentation principle by "'sally[ing] forth . . . looking for wrongs to right,'" rather than "decid[ing] only questions presented by the parties." *Sineneng-Smith*, 590 U.S. at 376 (citation omitted).

The Fourth Circuit's ruling on the Roanoke County judgment also violates AEDPA. Coleman did not seek a certificate of appealability on the district court's ruling that his petition against the Roanoke County judgment was time-barred; indeed, he "conceded the timeliness issue." App.92a. The Fourth Circuit was therefore doubly "without authority" to grant relief on that judgment. App.155a (Rushing, J., dissenting). AEDPA's strict statute of limitations "quite plainly serves the well-recognized interest in the finality of state court judgments." *Duncan* v. *Walker*, 533 U.S. 167, 179 (2001). "If claims asserted after the one-year period could be revived simply because they relate to the same trial, conviction, or sentence as a timely filed claim, AEDPA's limitation period would have slim significance." *Mayle* v. *Felix*, 545 U.S. 644, 662-63 (2005). AEDPA also bars appeals of matters outside the scope of a certificate of appealability. 28 U.S.C. § 2253(c)(3) (a certificate of appealability must "indicate which specific issue or issues" make the required showing); see *Gonzalez* v. *Thaler*, 565 U.S. 134, 146 & n.7 (2012) (discussing "mandatory" nature of this requirement). As the dissent explained, the Fourth Circuit thus "multiplie[d] its error" here by "vacating [Coleman's] state sentences" on the Roanoke County "convictions

Congress has forbidden us to review." App.126a (Rushing, J., dissenting).

The majority held that it could reach the Roanoke County judgment because the state court imposed a "combined sentence" based on a joint sentencing hearing. App.95a. But although the sentencing court held a joint hearing, the Roanoke City and Roanoke County convictions involved "separate proceedings" by "separate prosecutors in separate jurisdictions," and had "separate sentences, resulting in separate orders denying state habeas relief." App.157a (Rushing, J., dissenting). It plainly would have been possible for the Fourth Circuit to limit its order to the seven-year Roanoke City sentence. The court had no authority to "skirt Congress's unambiguous directive" in AEDPA by ordering relief on the time-barred challenge to the Roanoke County judgment as well. *Ibid.*; see *Bath County* v. *Amy*, 80 U.S. (13 Wall.) 244, 247-48 (1871) ("[T]he Circuit Courts of the United States . . . are creatures of statute, and they have only so much of the judicial power of the United States as the acts of Congress have conferred upon them.").

The Fourth Circuit's analogy to the "federal 'sentencing package doctrine'" only highlights the court's fundamentally erroneous view of its power to review state-court judgments under AEDPA. App.95a-96a. The "sentencing package doctrine" provides that federal courts of appeals acting on *direct* review of *federal* criminal sentences may vacate the entirety of the sentence for multiple counts after finding one portion erroneous, on the theory that such sentencing is "'inherently interrelated'" and "holistic." *United States* v. *Ventura*, 864 F.3d 301, 309 (4th Cir.

2017) (citation omitted). But the court of appeals' "'supervisory power over the federal courts'" on direct appeal is far broader than its tightly limited authority to disturb *state-court* judgments under AEDPA. *Early*, 537 U.S. at 10 (citation omitted); see also *Donnelly* v. *DeChristoforo*, 416 U.S. 637, 642-43 (1974).

The Fourth Circuit's invocation of the federal packaging doctrine in ordering combined resentencing under Virginia law also ignored that Virginia does not apply any such doctrine. Instead, when a court adjudicates a challenge to multiple sentences on multiple crimes, only the erroneous sentence falls while the "other sentences remain valid." *Graves* v. *Commonwealth*, 805 S.E.2d 226, 232 n.6 (Va. 2017) (addressing sentences for multiple crimes where "only one of [the] sentences was void *ab initio*"). Only if all the sentences are erroneous, or the entire sentencing "*order* [i]s void," will Virginia courts remand for a new sentencing hearing on all the disputed sentences. *Ibid*. That difference in law, and the Fourth Circuit's ignorance of it, demonstrates why AEDPA prohibits this kind of "egregious overreach into the operation of [state] criminal courts." App.158a (Rushing, J., dissenting).

The Fourth Circuit disregarded AEDPA's limits in ordering resentencing on the Roanoke County judgment. This Court should therefore grant the petition and reverse.

CONCLUSION

The petition for a writ of certiorari should be granted and the Fourth Circuit's judgment reversed.

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