

No. 25-867

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IN THE  
**Supreme Court of the United States**

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JOSEPH WALTERS, DIRECTOR, VIRGINIA DEPARTMENT  
OF CORRECTIONS,

*Petitioner,*

v.

CHRISTOPHER COLEMAN,

*Respondent.*

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**On Petition For A Writ Of Certiorari  
To The United States Court Of Appeals  
For The Fourth Circuit**

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**REPLY BRIEF FOR THE PETITIONER**

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## INTRODUCTION

The brief in opposition barely disputes that the Fourth Circuit violated the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA), the party-presentation principle, and this Court’s precedents. Respondent Christopher Coleman does not defend the Fourth Circuit’s *de novo* review of the state court. The Fourth Circuit also erred in extending its holding to a separate state-court judgment that was not even before it. This Court should reverse this “egregious overreach into the operation of [state] criminal courts.” App.158a (Rushing, J., dissenting).

Respondent primarily argues that the petition should be denied because it seeks “error correction.” Opp. at 1. But federal habeas relief is an extraordinary intrusion into state sovereignty. This Court has therefore “granted summary relief when the lower courts have departed from the role AEDPA assigns”—including multiple summary reversals of the Fourth Circuit during this term alone. *Klein v. Martin*, 146 S. Ct. 589, 593 (2026) (*per curiam*); see *Clark v. Sweeney*, 607 U.S. 7 (2025) (*per curiam*).

Respondent also errs in arguing that “the equities” justify habeas relief. Opp. at 2. Federal courts “are dutybound to comply with AEDPA,” including where it puts them in the “disagreeable position of having to deny relief in cases they would have analyzed differently if they had been in the shoes of the relevant state court.” *Klein*, 146 S. Ct. at 592-93. The Fourth Circuit has yet again failed to do so here, instead “disregard[ing] AEDPA at every turn.” App.126a (Rushing, J. dissenting). The petition should therefore be granted.

**I. Respondent does not dispute that the Fourth Circuit’s *de novo* review violates AEDPA, the party-presentation principle, and this Court’s precedents**

Respondent’s brief confirms that the first question presented warrants reversal. The petition explained that the Fourth Circuit’s *de novo* review of the state habeas court violates this Court’s precedents, the party-presentation principle, and AEDPA. Pet. at 21-27.<sup>1</sup> Respondent offers no defense of the *de novo* review, conceding these points. Opp. at 4-5.

Indeed, since the petition was filed, this Court has again held that the Fourth Circuit “erred” in concluding that a state habeas court “applied the wrong legal rule,” just as it did here. *Klein*, 146 S. Ct. at 597. The Fourth Circuit’s “‘readiness to attribute error’” to the state court is “both ‘inconsistent with the presumption that state courts know and follow the law’ and ‘incompatible with § 2254(d)’s highly deferential standard.” *Ibid.* (quoting *Woodford v. Visciotti*, 537 U.S. 19, 24 (2002) (*per curiam*)). As in *Klein*, the Fourth Circuit here “departed from what AEDPA prescribes.” *Id.* at 593; see Pet. at 26-27; App.130a (Rushing, J. dissenting).

And as in *Sweeney*, the Fourth Circuit compounded its error “by granting relief on a claim that [the habeas petitioner] never asserted and that the State

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<sup>1</sup> The Fourth Circuit and district court both subsequently denied the Director’s motions to stay the case pending the disposition of this petition, ordering the Commonwealth to release Respondent unless he is re-sentenced by July 22, 2026. Order, *Coleman v. Clark*, No. 7:19-CV-00386 (W.D. Va. Jan. 22, 2026), ECF No. 40.

never had the chance to address,” thus “depart[ing] dramatically from the principle of party presentation.” *Sweeney*, 607 U.S. at 8-9. Respondent does not dispute that he never argued that the state court applied an incorrect legal standard, nor that the Fourth Circuit should review his claim *de novo*. See Opp. at 4-5. He therefore concedes that it violated the party-presentation principle.

Respondent offers three arguments as to why this Court should deny the petition, but none has merit. First, he contends that the petition does not “accord with Rule 10(a),” because it seeks “error correction.” Opp. at 1. This argument ignores the unique context of AEDPA. Federal habeas review of state convictions “intrudes on state sovereignty to a degree matched by few exercises of federal judicial authority.” *Harrington v. Richter*, 562 U.S. 86, 103 (2011) (citation omitted). Congress therefore sharply limited it in AEDPA. As *Klein* explains, this Court has accordingly “granted summary relief when the lower courts have departed from the role AEDPA assigns.” *Klein*, 146 S. Ct. at 593 (citing cases); see Pet. at 27 & n.3 (citing cases). The Court should do so here.

Second, Respondent argues that the Fourth Circuit’s erroneous *de novo* review is “an alternate holding.” Opp. at 4-5 (emphasis omitted). But Respondent cites only a three-sentence footnote tacked onto the last page of the panel majority’s 99-page opinion. *Ibid.* (citing App. 123a n.14). And the footnote provides only a bare assertion that the court “would rule” that the state court provided “an unreasonable application of *Strickland*” if it “were entitled to deference.” App. 123a n.14. A passing subjunctive reference in a footnote cannot transform the panel

majority's lengthy analysis into an "alternate holding."

Any holding that the state court unreasonably applied *Strickland v. Washington*, 466 U.S. 668 (1984), would also violate AEDPA and this Court's precedents. See Pet. at 28-32; App.133a-155a (Rushing, J., dissenting). The sentencing court "largely accepted Coleman's testimony, including about his military service and related injuries," it "just didn't carry much weight" against the horrific nature of his violent crimes. App.143a (Rushing, J., dissenting); contra Opp. at 3. The state court explained that it based the sentence on Coleman's violent unprovoked attacks, their devastating effect on the lives of his victims, and the fact that Coleman committed multiple violent crimes within a 24-hour period, despite an intervening "opportunity to cool." JA322; see App.212a; Pet. at 30-31. Because the additional evidence did not affect these factors, the state court did not "blunder so badly that every fairminded jurist would disagree' with [its] decision" that it would not have changed the sentence. *Klein*, 146 S. Ct. at 596 (quoting *Mays v. Hines*, 592 U.S. 385, 392 (2021) (*per curiam*)).

Third, Respondent criticizes the state court for adopting an opinion drafted by the Commonwealth. Opp. at 2, 4. But he nowhere explains how that fact could justify habeas relief under AEDPA. The only case he cites, *Jefferson v. Upton*, 560 U.S. 284 (2010) (*per curiam*), "was filed prior to the enactment of the Antiterrorism and Effective Death Penalty Act of 1996 and is therefore governed by federal habeas law as it existed prior to that point." *Id.* at 289. Under AEDPA, the Fourth Circuit has "no authority to

impose mandatory opinion-writing standards on state courts.” *Klein*, 146 S. Ct. at 596 (quoting *Johnson v. Williams*, 568 U.S. 289, 300 (2013)).

At bottom, Respondent contends that habeas relief is justified because his sentence is too harsh. He appeals to “the equities and the fairness,” contending that his sentence is “outrageous” in light of his valorous military service and related injuries. Opp. at 2-3. But this argument simply repeats the Fourth Circuit’s central error: “fundamentally misunderstand[ing] the limited nature of [a federal court’s] review of state court decisions under AEDPA.” App.132a (Rushing, J., dissenting). Determining the fair sentence for Respondent’s violent assaults was the job of the state sentencing court, not the Fourth Circuit. The Fourth Circuit is “dutybound to comply with AEDPA,” even when it finds that law “disagreeable.” *Klein*, 146 S. Ct. at 592-93. Because it has once again failed to do so, this Court should grant the petition and reverse.

## **II. The Fourth Circuit also violated AEDPA and the party presentation principle by extending its order to the Roanoke County judgment**

The petition should also be granted as to the second question presented. The petition showed that the Fourth Circuit violated this Court’s precedents on AEDPA’s statute of limitations and the party-presentation principle in ordering relief on the Roanoke County judgment. Pet. at 32-36. Respondent fails to address these issues, and makes no attempt to defend the Fourth Circuit’s reliance on the “sentencing package doctrine.” See *id.* at 35-36.

Respondent dismisses the untimeliness of his petition as a “housekeeping issue.” Opp. at 5. He is mistaken. “That the sentencing hearing was conducted jointly before the same judge does not alter the separateness of the judgments.” App.157a (Rushing, J., dissenting). The state court issued two separate sentencing orders for the Roanoke County and Roanoke City judgments. Sentencing Order, *Commonwealth v. Coleman*, Nos. CR11-562, -565, -606 (Roanoke Cnty. Cir. Ct. Aug. 24, 2012); Sentencing Order, *Commonwealth v. Coleman*, No. CR11-983 (Roanoke City Cir. Ct. Aug. 24, 2012); see App. 171a-172a (citing separate records when discussing the two sentencing orders); contra Opp. at 5. And Respondent filed two separate appeals, App.239a-249a, and two separate state habeas petitions, App.202a-238a. The district court held that AEDPA’s “statute of limitations” barred “Coleman’s § 2254 challenge to his Roanoke County convictions.” App.190a. Respondent did not seek a certificate of appealability for that holding, and his circuit court brief nowhere addresses it—including nowhere arguing that the time bar was “irrelevant.” Opp. at 6. The Roanoke County judgment was therefore not before the Fourth Circuit; “If claims asserted after the one-year period could be revived simply because they relate to the same trial, conviction, or sentence . . . , AEDPA’s limitation period would have slim significance.” *Mayle v. Felix*, 545 U.S. 644, 662 (2005).

Respondent contends that it was “the Director who failed to raise this issue in the Fourth Circuit.” Opp. at 6. But the Director had no basis to raise it, because Respondent had not done so. Thus, the Fourth Circuit again violated the party-presentation principle, by “granting relief on a claim that [Respondent]

never asserted and that the State never had the chance to address.” *Sweeney*, 607 U.S. at 9.

**CONCLUSION**

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

April 21, 2026

Respectfully submitted,

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