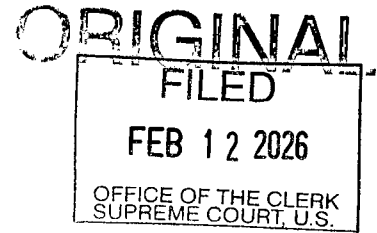


26-5202

No. _____



IN THE

SUPREME COURT OF THE UNITED STATES

DAVID SCOTT BATCHELOR – Petitioner,

versus

GREGORY SAMPSON, Warden – Respondent.

ON PETITION FOR A WRIT OF CERTIORARI

TO THE SUPERIOR COURT OF DOOLY COUNTY GEORGIA

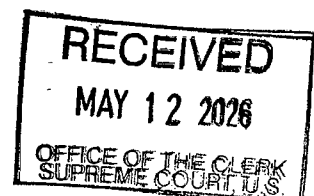
PETITION FOR WRIT OF CERTIORARI

DAVID SCOTT BATCHELOR, GDC#: 1002257182

DOOLY STATE PRISON

P.O. BOX 750

UNADILLA, GEORGIA 31091



QUESTION PRESENTED

Is a guilty plea constitutionally valid when it is induced by counsel's materially incorrect advice concerning the punishment authorized by statute, and the state court upholds the plea on the ground that the advice reflected a prevailing professional understanding of the time which was later rejected as inconsistent with the statute's unambiguous text?

LIST OF PARTIES

DAVID SCOTT BATCHELOR – Defendant, Petitioner

GREGORY SAMPSON, Warden Dooly State Prison, Georgia

STATE OF GEORGIA

Related Cases

State of Georgia v David Scott Batchelor, 17R0610 Upson County Superior Court (Trial Court)

David Scott Batchelor v State of Georgia, A19A1579, Georgia Court of Appeals (Appeal)

David Scott Batchelor v. Gregory Sampson, 23-DV-0070, Dooly County Superior Court (Habeas Corpus).

David Scott Batchelor v. Gregory Sampson, S25H0790, Georgia Supreme Court (Application for Certificate of Probable Cause).

TABLE OF CONTENTS

INTRODUCTION	6
OPINIONS BELOW	7
JURISDICTION	7
CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED	7
STATEMENT OF THE CASE	7-9
REASON FOR GRANTING THE WRIT	9-12

I. The Decision Below Conflicts with This Court's Plea Jurisprudence, Which Turns on the Defendant's Understanding—not the Excusability of Counsel's Mistake

II. . Statutory Interpretation Is Declarative; a Plea Induced by Advice Inconsistent with the Statute's Meaning Rests on a Legal Falsehood

III. Fundamental Fairness Is Undermined When the State Preserves a Conviction by Invoking Systemic Misunderstanding of the Law

IV. Lenity Confirms the Direction of Error: Widespread Misunderstanding of a Criminal Statute Should Cut Against the State, Not Against the Defendant

V. Justice Stephens Correctly Identified the Unresolved Constitutional Question: the Defendant's Understanding Matters Even When Error Was "Reasonable"

VI. This Case Is an Ideal Vehicle

CONCLUSION	13
------------	----

INDEX OF APPENDICES

Appendix A: Opinions below	14
----------------------------	----

TABLE OF AUTHORITIES CITED

CASES:

Federal Cases

<i>Bousley v. United States</i> , 523 U.S. 614, 620–21 (1998)	10, 11, 12
<i>Brady v. United States</i> , 397 U.S. 742, 755 (1970)	9
<i>Gagnon v. Scarpelli</i> , 411 U.S. 778, 790 (1973)	10
<i>Hill v. Lockhart</i> , 474 U.S. 52, 56–59 (1985)	9
<i>Henderson v. Morgan</i> , 426 U.S. 637, 644–45 (1976)	9
<i>Rivers v. Roadway Express, Inc.</i> , 511 U.S. 298, 312–13 (1994)	10
<i>United States v. Bass</i> , 404 U.S. 336, 347–48 (1971)	11
<i>United States v. Santos</i> , 553 U.S. 507, 514 (2008)	11

Georgia Cases

<i>Edvalson v. State</i> , 310 Ga. 7, 849 S.E.2d 204 (2020)	8
---	---

STATUTES AND RULES:

28 U.S.C. § 1257(a)	7
Sixth Amendment of the US Constitution	7
Fourth Amendment of the US Constitution	7

INTRODUCTION

This petition presents an unresolved constitutional question with significant consequences for the fundamental fairness of the plea-bargaining process. If a guilty plea may be upheld even when it is induced by materially incorrect advice about the punishment authorized by statute—**so long as that advice reflects a prevailing understanding later rejected as inconsistent with the statute's unambiguous text**—then defendants may lose their liberty based on legally false premises, despite having relied on the very counsel the Constitution guarantees.

This Court has long held that guilty pleas must be knowing, intelligent, and voluntary, and that authoritative judicial interpretation of a statute declares what the law has always meant. Yet lower courts have diverged on whether a plea induced by false legal advice may nevertheless stand when the error was widely shared within the legal community. Some courts focus on the defendant's understanding of the law at the moment of waiver; others excuse misinformation by invoking professional consensus, effectively insulating pleas from constitutional scrutiny whenever the legal system itself misunderstood the statute.

The absence of a clear rule has produced disuniformity in state courts and persistent uncertainty in federal habeas review under AEDPA, leaving defendants to bear the cost of systemic legal error. This case presents a clean vehicle for resolving that conflict and clarifying whether the Constitution protects the defendant's understanding of the law—or the legal community's mistaken assumptions—at the plea stage.

OPINIONS BELOW

The order of the Supreme Court of Georgia denying petitioner's application for a certificate of probable cause to appeal the denial of state habeas relief is unreported and is reproduced in the Appendix A at 1a.

The order of the Superior Court of Dooly County denying habeas corpus relief is unreported and is reproduced in the Appendix A at 2a-10a.

JURISDICTION

The judgment of the Supreme Court of Georgia denying petitioner's application for a certificate of probable cause to appeal was entered on **November 18, 2025**. This petition for a writ of certiorari is timely filed within 90 days of that judgment.

This Court has jurisdiction under **28 U.S.C. § 1257(a)**.

CONSTITUTIONAL 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 defense."

The **Fourteenth Amendment** to the United States Constitution provides, in relevant part: "No State shall ... deprive any person of life, liberty, or property, without due process of law."

STATEMENT OF THE CASE

Petitioner was indicted in Georgia on thirty counts of sexual exploitation of children, based on alleged possession of child pornography. Petitioner consistently maintained his innocence. He asserted that although he possessed a batch file containing various lawful files, along with some illegal images, he had never opened the file and did not know that it contained

images of children. Because the statute required knowing possession, petitioner maintained that he lacked the requisite *mens rea*.

Petitioner's counsel advised that the applicable "unit of prosecution" was each individual image and that, if convicted on all thirty counts, petitioner faced a potential sentence of up to 600 years imprisonment. At the time of the plea, no appellate court had authoritatively construed the statute's unit of prosecution, and counsel did not correctly advise petitioner that the statutory text limited punishment to a single count which would carry only 20 years. Based on that advice, counsel urged petitioner to plead guilty rather than proceed to trial.

Petitioner initially insisted on going to trial. Counsel nevertheless emphasized the risk of an effective life sentence and, in an effort to persuade petitioner, involved petitioner's elderly parents in discussions concerning the consequences of a trial conviction. Faced with advice that he risked a 600-year sentence, petitioner entered a guilty plea and was sentenced to sixty years (60) of imprisonment, with eighteen years (18) to serve.

After sentencing, petitioner obtained advice from new counsel and moved to withdraw his guilty plea, alleging ineffective assistance of counsel and undue pressure to plead guilty. The trial court denied the motion. Petitioner appealed, and the Georgia Court of Appeals affirmed.

Two years later, the Supreme Court of Georgia addressed the unit-of-prosecution question in *Edvalson v. State*, 310 Ga. 7, 849 S.E.2d 204 (2020). **The court held that the unambiguous reading of the statute criminalized the possession of "any media," not each individual image. As a result, regardless of whether a defendant possessed one image or many, the statute authorized only a single count carrying a maximum sentence of twenty years' imprisonment.**

Petitioner thereafter filed a state habeas corpus petition raising two claims: (1) that the thirty counts should have merged for sentencing purposes, and (2) that counsel rendered ineffective assistance by advising that petitioner faced 600 years of imprisonment when, under the statute as properly interpreted, the maximum exposure was twenty years—rendering the plea unknowing and involuntary.

The habeas court granted relief on the merger claim, resulting in petitioner's resentencing to twenty years of imprisonment, with eighteen years to serve. The court, however, denied relief on the ineffective-assistance claim, concluding that counsel's advice did not violate the Sixth Amendment because it reflected a prevailing understanding of the statute at the time and counsel could not have anticipated subsequent clarification of the law.

Petitioner sought review by filing an application for a certificate of probable cause to appeal. The Supreme Court of Georgia denied the application in a summary order, leaving intact the ruling that counsel's good-faith reliance on the prevailing understanding of the statute precluded relief.

REASONS FOR GRANTING THE WRIT

I. The Decision Below Conflicts with This Court's Plea Jurisprudence, Which Turns on the Defendant's Understanding—not the Excusability of Counsel's Mistake

A guilty plea is constitutionally valid only if it is knowing, intelligent, and voluntary. The voluntariness inquiry turns on what the defendant understood about the law and its consequences at the moment he waived his rights, not on whether counsel's error was understandable or widely shared. A plea induced by misinformation about the law governing punishment is involuntary even if the misinformation was not intentional. *Henderson v. Morgan*, 426 U.S. 637, 644–45 (1976); *Brady v. United States*, 397 U.S. 742, 755 (1970); *Hill v. Lockhart*, 474 U.S. 52, 56–59 (1985).

The Georgia Supreme Court upheld petitioner's plea on the ground that counsel's advice reflected a prevailing understanding of the statute. That approach shifts the constitutional focus away from the defendant's understanding and toward the perceived reasonableness of the legal community's mistake, effectively insulating pleas induced by legally false advice from constitutional scrutiny.

II. Statutory Interpretation Is Declarative; a Plea Induced by Advice Inconsistent with the Statute's Meaning Rests on a Legal Falsehood

This Court has emphasized that judicial construction of a statute is an authoritative statement of what the statute has meant since its enactment. *Rivers v. Roadway Express, Inc.*, 511 U.S. 298, 312–13 (1994). In the plea context, the Court has likewise recognized that later statutory interpretation may demonstrate that a plea rested on a misunderstanding of the law rather than on any change in the law. *Bousley v. United States*, 523 U.S. 614, 620–21 (1998).

Here, the state supreme court later held that the statute's unambiguous text authorized a far narrower unit of prosecution than the professional consensus had assumed. That decision exposed—rather than created—the legal error that induced petitioner's plea. A plea based on a materially incorrect premise about statutory punishment cannot be constitutionally “knowing” merely because the incorrect premise was widely shared within the legal system.

III. Fundamental Fairness Is Undermined When the State Preserves a Conviction by Invoking Systemic Misunderstanding of the Law

Due process is rooted in fundamental fairness. *Gagnon v. Scarpelli*, 411 U.S. 778, 790 (1973). The defendant is the only participant in the plea process without legal training or institutional authority; the Sixth Amendment guarantees counsel precisely so that the defendant may rely on professional legal advice when deciding whether to waive fundamental trial rights.

The rule applied below protects institutional consensus—shared by counsel, prosecutors, judges, and intermediate courts—while imposing the consequences of legal error on the defendant, the party least capable of identifying or correcting the mistake. That inversion of responsibility is incompatible with fundamental fairness.

IV. Lenity Confirms the Direction of Error: Widespread Misunderstanding of a Criminal Statute Should Cut Against the State, Not Against the Defendant

Criminal statutes are strictly construed against the government and in favor of the accused, and ambiguity is resolved against the State. *United States v. Bass*, 404 U.S. 336, 347–48 (1971); *United States v. Santos*, 553 U.S. 507, 514 (2008). When the scope or punishment authorized by a criminal statute is misunderstood, the defendant should not bear the cost of that misunderstanding.

The decision below reverses that principle by validating a plea induced by the most punitive interpretation assumed by the legal system—even though the statute, as later authoritatively construed, did not authorize that punishment. That inversion magnifies the constitutional injury at the plea stage.

V. Justice Stephens Correctly Identified the Unresolved Constitutional Question: the Defendant’s Understanding Matters Even When Error Was “Reasonable”

Justice Stephens’ concurrence highlights a constitutional problem that this Court has never squarely resolved: whether the validity of a guilty plea turns on the defendant’s understanding of the law, or instead on the reasonableness of the legal system’s mistake. Focusing on the defendant’s perspective and the consequences of misinformation, Justice Stephens explained:

The fact that all of his advisers acted in good-faith reliance on existing precedent does not mitigate the impact of that erroneous advice. Its consequences for petitioner were just as severe, and just as unfair, as if the court and counsel had knowingly conspired to deceive him in order to induce him to plead guilty to a crime

that he did not commit. Our cases make it perfectly clear that a guilty plea based on such misinformation is constitutionally invalid.

— *Bousley v United States*, 523 U.S. 614, 625 § I (J. Stevens concurring in part and dissenting in part)

Justice Stephens' reasoning is firmly grounded in this Court's plea jurisprudence. From the defendant's perspective, the constitutional harm is the same whether incorrect legal advice arises from ignorance, good-faith reliance, or prevailing professional assumptions later rejected as erroneous. In each scenario, the defendant pleads guilty based on a materially false understanding of the law's consequences and relinquishes fundamental rights on a legally erroneous premise.

This Court has never held that "reasonable but wrong" legal advice can render an otherwise unknowing plea constitutionally valid. In the absence of such guidance, lower courts have adopted divergent approaches, and federal courts—constrained by AEDPA—lack authority to supply uniformity without a clear holding from this Court. Justice Stephens' concurrence thus exposes a doctrinal gap requiring this Court's clarification.

VI. This Case Is an Ideal Vehicle

The issue is dispositive and cleanly presented. Petitioner pleaded guilty based on advice overstating the punishment authorized by statute, and the state court denied relief solely because that advice reflected a prevailing understanding later rejected as inconsistent with the statute's unambiguous text. There are no material factual disputes and no alternative grounds supporting the judgment.

CONCLUSION

The petition for a Writ of Certiorari should be granted.



David Scott Batchelor,

Petitioner, *pro se*

Date: February 12, 2026

CERTIFICATE OF FILING

I certify that this Petition for a Writ of Certiorari was delivered to prison authorities for mailing on **February 12, 2026**.

I declare under penalty of perjury that the foregoing is true and correct.



David Scott Batchelor,

Petitioner, *pro se*

Date: February 12, 2026

CERTIFICATE OF SERVICE

I certify that on **February 12, 2026**, a copy of this Petition for a Writ of Certiorari was served by mail on the following:

Office of the Attorney General of Georgia
40 Capitol Square, S.W.
Atlanta, Georgia 30334

I declare under penalty of perjury that the foregoing is true and correct.



David Scott Batchelor,

Petitioner, *pro se*

Date: February 12, 2026