2027 Edition
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The 2027 edition offers an expanded and thorough review of the habeas corpus provisions of the **Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA)**, including **numerous cases**—from the Supreme Court, the circuit courts of appeals, and some district courts—interpreting and applying the Act. Increased attention is paid to **habeas corpus vs. Section 1983 relief, custody and venue, statute of limitations and tolling, retroactivity, exhaustion of state judicial remedies, procedural default, standards of review under 28 U.S.C. § 2254(d), appeals, successive petitions, actual innocence, ineffective-assistance-of-counsel claims, post-conviction motions filed by federal prisoners, and the Equal Access to Justice Act**.

Other highlights of this edition include coverage of **new Supreme Court cases and significant lower court cases**, including:

- ***Olivier v. City of Brandon* (U.S., 2026)**, holding that a petitioner's prior conviction for violating an ordinance **does not bar** a suit seeking **purely prospective relief** to enjoin future enforcement of the ordinance, notwithstanding ***Heck v. Humphrey*** (§ 2:1).
- ***Klein v. Martin* (U.S., 2026)**, holding that, under **AEDPA**, federal habeas relief is unavailable where a state court **reasonably concludes** that undisclosed ***Brady v. Maryland* evidence was not material**, even if a federal court would have evaluated the materiality question differently (§ 17:5).
- ***Whitton v. Dixon* (U.S., 2026)**, holding that, under **AEDPA**, a federal habeas court assessing prejudice from an alleged ***Giglio v. U.S.*** violation **may not consider post-trial evidence** that was never presented to the jury because such evidence cannot bear on whether the error substantially influenced the verdict (§ 17:5).
- ***Pitchford v. Cain* (U.S., 2026)**, holding that, in a capital habeas case, the state court **unreasonably applied clearly established *Batson v. Kentucky* precedent by finding waiver** after the trial court **failed to conduct *Batson*'s third step** and prevented defense counsel from rebutting the prosecutor's asserted race neutral reasons for striking black prospective jurors (§ 17:5).
- ***McCarthy v. Hernandez* (U.S., 2026)**, summarily reversing, the Court held that **AEDPA** does not permit federal

habeas relief by **extending *Missouri v. Seibert*** to require **jury instructions on attenuation** because no clearly established Supreme Court precedent imposed such a requirement (§ 17:5).

- ***Bowe v. U.S.* (U.S., 2026)**, holding that **28 U.S.C. § 2244(b)(3)(E) does not bar Supreme Court review** of a federal prisoner's request for **authorization to file a second or successive § 2255 motion**, and that **§ 2244(b)(1) does not apply to second or successive § 2255 motions filed by federal prisoners** challenging their convictions or sentences (§ 17:11).
- ***Fernandez v. U.S.* (U.S., 2026)**, holding that the alleged invalidity of a federal conviction is not an **"extraordinary and compelling reason"** for **compassionate release under 18 U.S.C. § 3582(c)(1)(A)**, and that **collateral attacks on federal convictions** must instead be brought under **28 U.S.C. § 2255** (§ 17:11).
- Cases from several federal circuits holding that **AEDPA's deferential standard of review under 28 U.S.C. § 2254(d) is constitutional**, and rejecting the argument that ***Loper Bright Enterprises v. Raimondo* (U.S., 2024)** undermined AEDPA's constitutionality (§ 17:5).

These new *Checklists* volumes also include:

- **Updated Habeas Corpus Rules and Forms** for state and federal prisoners seeking post-conviction relief in the United States District Courts (App. E and App. F).
- **Updated statutory references to the U.S. Code**.
- **Expanded black-letter law**.
- And a completely updated and improved **Table of Cases**, enhancing the usefulness of this quick-reference guide by containing *both* an **Alphabetical Table** and a **Jurisdictional Table**, listing separately cases from the U.S. Supreme Court, the circuit courts of appeals (including district courts within the circuit), state courts, and international and foreign courts.

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