

List of Cases Citing to the 1989 ABA Guidelines

Summaries of all cases are available online in a fully indexed and searchable format at <http://www.capstandards.org>.

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2. Jackson v. United States, 638 F. Supp. 2d 514 (W.D. N.C. 2009)
3. Gray v. Branker, 529 F.3d 220 (4th Cir 2008)
4. Yarbrough v. Johnson, 520 F.3d 329 (4th Cir 2008)
5. Yarbrough v. Johnson, 490 F. Supp. 2d 694 (E.D. Va. 2007)
6. State v. Oglesby, 122 N.J. 522 (N.J. 1991)
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8. State v. Savage, 120 N.J. 594 (N.J. 1990)

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3. Murray v. Schriro, 2008 WL 1701404 (D. Ariz. 2008)
4. Evans v. Florida, 946 So.2d 1 (Fla. 2006)
5. State v. Black, 50 S.W.3d 778 (Mo. 2001)
6. State v. Porter, 948 P.2d 127 (Idaho 1997)
7. State v. Rodriguez, 186 Ariz. 240 (Ariz. 1996)
8. Orange Co. v Corchado, 679 So.2d 297 (Fla. Dist. Ct. App. 1996)
9. Hill v. Butterworth, 941 F.Supp. 1129 (N.D. Fla. 1996)
10. State v. Vickers, 885 P.2d 1086 (Ariz. 1994)
11. U.S. v. Gray, 32 M.J. 730 (A.C.M.R. 1991)

12. State v. Oglesby, 122 N.J. 522 (N.J. 1991)
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3. Hawkins v. Wong, 2010 U.S. Dist. LEXIS 92175 (E.D. Cal. 2010)
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5. Jackson v. United States, 638 F. Supp. 2d 514 (W.D. N.C. 2009)
6. Bland v. State, 2009 WL 910197 (Tenn. Crim. App. 2009)
7. United States v. Orleans-Lindsay, 572 F. Supp. 2d 144 (D.D.C. 2008)
8. Gray v. Branker, 529 F.3d 220 (4th Cir 2008)
9. Yarbrough v. Johnson, 490 F. Supp. 2d 694 (E.D. Va. 2007)
10. Sanborn v. Parker, 2005 WL 5190487 (W.D. Ky. 2005)
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12. McGowan v. State, 990 So.2d 931 (Ala. Crim. App. 2003)
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28. Taylor v. State, 32 A.3d 374 (Del. 2011)
29. Cox v. McNeil, 638 F.3d 1356 (11th Cir 2011)
30. Perkins v. Hall, 708 S.E.2d 335 (Ga. 2011)
31. Brawner v. Epps, 439 F. App'x. 396 (5th Cir 2011)
32. Ortiz v. United States, 664 F.3d 1151 (8th Cir 2011)
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34. State v. Herring, 2011 Ohio App. LEXIS 540 (Ohio Ct. App. 2011)
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36. Wilson v. Workman, 2011 U.S. Dist. LEXIS 17924 (N.D. Okla. 2011)
37. Showers v. Beard, 635 F.3d 625 (3rd Cir 2011)
38. Blystone v. Horn, 664 F.3d 397 (3rd Cir 2011)
39. Duffey v. Beard, 2011 U.S. Dist. LEXIS 102322 (M.D. Pa. 2011)
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42. State v. Gamble, 63 So. 3d 707 (Ala. Crim. App. 2010)
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56. Winston v. Kelly, 592 F.3d 535 (4th Cir 2010)
57. Jackson v. Kelly, 699 F.Supp.2d 838 (E.D. Va. 2010)
58. Loving v. United States, 68 M.J. 1 (C.A.A.F. 2009)
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66. Woodall v. Simpson, 2009 U.S. Dist. LEXIS 14202 (W.D. Ky. 2009)
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69. Worthington v. Roper, 619 F. Supp. 2d 661 (E.D. Mo. 2009)
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77. Wood v. Allen, 542 F.3d 1281 (11th Cir 2008)
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91. Richie v. Sirmons, 563 F. Supp. 2d 1250 (N.D. Okla. 2008)
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136. *Hedrick v. True*, 443 F.3d 342 (4th Cir 2006)
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172. State v. Savage, 120 N.J. 594 (N.J. 1990)

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2. Hodges v. Colson, 727 F.3d 517 (6th Cir 2013)
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4. *Morris v. Beard*, 2012 U.S. Dist. LEXIS 144654 (E.D. Pa. 2012)
5. *Wilson v. Workman*, 2011 U.S. Dist. LEXIS 17924 (N.D. Okla. 2011)
6. *Duffey v. Beard*, 2011 U.S. Dist. LEXIS 102322 (M.D. Pa. 2011)
7. *Detrich v. Ryan*, 619 F.3d 1038 (9th Cir 2010)
8. *Jackson v. United States*, 2010 U.S. Dist. LEXIS 80944 (W.D. N.C. 2010)
9. *Jones v. Ryan*, 583 F.3d 626 (9th Cir 2009)
10. *Jackson v. United States*, 638 F. Supp. 2d 514 (W.D. N.C. 2009)
11. *Gray v. Branker*, 529 F.3d 220 (4th Cir 2008)
12. *Wilson v. Sirmons*, 536 F.3d 1064 (10th Cir 2008)
13. *Council v. South Carolina*, 670 S.E.2d 356 (S.C. 2008)
14. *Dunlap v. People*, 173 P.3d 1054 (Colo. 2007)
15. *Morris v. Beard*, 2007 U.S. Dist. LEXIS 44707 (E.D. Pa. 2007)
16. *Walbey v. Quarterman*, 2007 U.S. Dist. LEXIS 98093 (S.D. Tex. 2007)
17. *Hannon v. State*, 941 So.2d 1109 (Fla. 2006)

18. *Murphy v. Bradshaw*, 2006 WL 5575813 (S.D. Ohio 2006)
19. *Nooner v. Norris*, 402 F.3d 801 (8th Cir 2005)
20. *Woodard v. Mitchell*, 2005 U.S. Dist. LEXIS 22109 (N.D. Ohio 2005)
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15. *Dixon v. Houk*, 627 F.3d 553 (6th Cir 2010)
16. *Coleman v. Bradshaw*, (S.D. Ohio 2010)
17. *Winston v. Kelly*, 592 F.3d 535 (4th Cir 2010)

18. Jackson v. Kelly, 699 F.Supp.2d 838 (E.D. Va. 2010)
19. Jones v. Ryan, 583 F.3d 626 (9th Cir 2009)
20. Hurst v. State, 18 So.3d 975 (Fla. 2009)
21. Parker v. State, 3 So.3d 974 (Fla. 2009)
22. Matthews v. Simpson, 603 F. Supp. 2d 960 (W.D. Ky. 2009)
23. McNeill v. Branker, 601 F. Supp. 2d 694 (E.D. N.C. 2009)
24. Jackson v. United States, 638 F. Supp. 2d 514 (W.D. N.C. 2009)
25. Adams v. Quarterman, 324 F. App'x. 340 (5th Cir 2009)
26. Young v. Sirmons, 551 F.3d 942 (10th Cir 2008)
27. Gray v. Branker, 529 F.3d 220 (4th Cir 2008)
28. Wilson v. Sirmons, 536 F.3d 1064 (10th Cir 2008)
29. Alverson v. Sirmons, 2008 WL 5122348 (N.D. Okla. 2008)
30. Council v. South Carolina, 670 S.E.2d 356 (S.C. 2008)
31. Strouth v. Bell, 2008 U.S. Dist. LEXIS 109144 (M.D. Tenn. 2008)
32. Villegas v. Quarterman, 274 F. App'x. 378 (5th Cir 2008)
33. Blanton v. Quarterman, 543 F.3d 230 (5th Cir 2008)
34. Hudson v. Quarterman, 273 F. App'x. 331 (5th Cir 2008)
35. Moore v. Mitchell, 2007 WL 4754340 (S.D. Ohio 2007)
36. Campbell v. Bradshaw, 2007 U.S. LEXIS 101936 (S.D. Ohio 2007)
37. Taylor v. Horn, 504 F.3d 416 (3rd Cir 2007)
38. Morris v. Beard, 2007 U.S. Dist. LEXIS 44707 (E.D. Pa. 2007)
39. Clark v. Quarterman, 2007 U.S. Dist. LEXIS 68249 (E.D. Tex. 2007)
40. Walbey v. Quarterman, 2007 U.S. Dist. LEXIS 98093 (S.D. Tex. 2007)

41. *Yarbrough v. Johnson*, 490 F. Supp. 2d 694 (E.D. Va. 2007)
42. *Davis v. State*, 9 So. 3d 514 (Ala. Crim. App. 2006)
43. *Hannon v. State*, 941 So.2d 1109 (Fla. 2006)
44. *Murphy v. Bradshaw*, 2006 WL 5575813 (S.D. Ohio 2006)
45. *Nooner v. Norris*, 402 F.3d 801 (8th Cir 2005)
46. *Earp v. Ornoski*, 431 F.3d 1158 (9th Cir 2005)
47. *Earp v. Stokes*, 423 F.3d 1024 (9th Cir 2005)
48. *Moore v. Parker*, 425 F.3d 250 (6th Cir 2005)
49. *Mitts v. Bagley*, 2005 U.S. Dist. LEXIS 44018 (N.D. Ohio 2005)
50. *Woodard v. Mitchell*, 2005 U.S. Dist. LEXIS 22109 (N.D. Ohio 2005)
51. *Mason v. Mitchell*, 396 F. Supp. 2d 837 (N.D. Ohio 2005)
52. *Landrum v. Anderson*, 2005 WL 3965399 (S.D. Ohio 2005)
53. *Smith v. Dretke*, 422 F.3d 269 (5th Cir 2005)
54. *Harris v. State*, 947 So. 2d 1079 (Ala. Crim. App. 2004)
55. *In re Larry Douglas Lucas*, 94 P.3d 477 (Cal. 2004)
56. *Peterka v. State*, 890 So. 2d 219 (Fla. 2004)
57. *Lovitt v. True*, 330 F. Supp. 2d 603 (E.D. Va. 2004)
58. *Wiggins v. Smith*, 539 U.S. 510 (U.S. 2003)
59. *Armstrong v. State*, 862 So. 2d 705 (Fla. 2003)
60. *Hamblin v. Mitchell*, 354 F.3d 482 (6th Cir 2003)

Guideline 11.9.1 -- Duties of Trial Counsel in Post Judgment Proceedings

1. *U.S. v. Gray*, 32 M.J. 730 (A.C.M.R. 1991)

Guideline 11.9.2 -- Duties of Appellate Counsel

1. Jamison v. Collins, 100 F. Supp.2d 647 (S.D. Ohio 2000)
2. Braun v. Ward, 190 F.3d 1181 (10th Cir 1999)
3. Campbell v. State, 904 S.W.2d 594 (Tenn. 1995)
4. U.S. v. Gray, 32 M.J. 730 (A.C.M.R. 1991)

Guideline 11.9.3 -- Duties of Postconviction Counsel

1. U.S. v. Gray, 32 M.J. 730 (A.C.M.R. 1991)

Guideline 11.9.4 -- Duties of Clemency Counsel

1. U.S. v. Gray, 32 M.J. 730 (A.C.M.R. 1991)

Guideline 11.9.5 -- Duties Common to All Post Judgment Counsel

1. U.S. v. Gray, 32 M.J. 730 (A.C.M.R. 1991)

Guideline General -- general commentary on 1989 Guidelines

1. Hamm v. Allen, 2013 WL 1282129 (N.D. Ala. 2013)
2. Sansing v. Ryan, 2013 WL 474358 (D. Ariz. 2013)
3. Styers v. Ryan, 2013 WL 1149919 (D. Ariz. 2013)
4. People v. Williams, 299 P.3d 1185 (Cal. 2013)
5. Ploof v. Delaware, 75 A.3d 811 (Del. 2013)
6. Jackson v. Florida, 2013 WL 5269865 (Fla. 2013)
7. Jackson v. Florida, 127 So.3d 447 (Fla. 2013)
8. Bolin v. Chappell, 2012 U.S. Dist. LEXIS 59350 (E.D. Cal. 2012)
9. Bolin v. Chappell, 2012 U.S. Dist. LEXIS 150978 (E.D. Cal. 2012)
10. Bratcher v. Kentucky, (Ky. Ct. App. 2012)
11. Hurst v. Branker, 2012 U.S. Dist. LEXIS 127130 (M.D. N.C. 2012)
12. Coleman v. Bradshaw, 2012 U.S. Dist. LEXIS 170609 (S.D. Ohio 2012)

13. Judge v. Beard et al., 2012 WL 5960643 (E.D. Pa. 2012)
14. Morris v. Beard, 2012 U.S. Dist. LEXIS 144654 (E.D. Pa. 2012)
15. Stout v. Tennessee, 2012 Tenn. Crim. App. LEXIS 657 (Tenn. Crim. App. 2012)
16. Rogers v. Tennessee, 2012 Tenn. Crim. App. LEXIS 681 (Tenn. Crim. App. 2012)
17. Ray v. State, 80 So. 3d 965 (Ala. Crim. App. 2011)
18. Reynolds v. Warden, 2011 Conn. Super. LEXIS 1558 (Conn. Super. Ct. 2011)
19. United States v. Sampson, 820 F. Supp. 2d 202 (D. Mass. 2011)
20. Brawner v. Epps, 439 F. App'x. 396 (5th Cir 2011)
21. Wilson v. Workman, 2011 U.S. Dist. LEXIS 17924 (N.D. Okla. 2011)
22. State v. Gamble, 63 So. 3d 707 (Ala. Crim. App. 2010)
23. Morehart v. Barton, 236 P.3d 1216 (Ariz. Ct. App. 2010)
24. Lee v. Ryan, 2010 U.S. Dist. LEXIS 105811 (D. Ariz. 2010)
25. State v. Taylor, 2010 Del. Super. LEXIS 376 (Del. Super. Ct. 2010)
26. State v. Craig, 2010 Ohio App. LEXIS 975 (Ohio Ct. App. 2010)
27. Coleman v. Bradshaw, (S.D. Ohio 2010)
28. Loza v. Mitchell, 705 F. Supp. 2d 773 (S.D. Ohio 2010)
29. Grant v. Workman, 2010 U.S. Dist. LEXIS 127978 (N.D. Okla. 2010)
30. Rollins v. Horn, 386 F. App'x. 267 (3rd Cir 2010)
31. Trevino v. Thaler, 2010 U.S. Dist. LEXIS 5476 (W.D. Tex. 2010)
32. Pinholster v. Ayers, 590 F.3d 651 (9th Cir 2009)
33. Hodge v. Haeberlin, 579 F.3d 627 (6th Cir 2009)
34. Matthews v. Simpson, 603 F. Supp. 2d 960 (W.D. Ky. 2009)
35. Simon v. Epps, 344 F.App'x. 69 (5th Cir 2009)

36. Burr v. Branker, 2009 U.S. Dist. LEXIS 38757 (M.D. N.C. 2009)
37. Moreland v. Bradshaw, 635 F. Supp. 2d 680 (S.D. Ohio 2009)
38. Galloway v. Thaler, 344 F. App'x. 64 (5th Cir 2009)
39. Skinner v. Quarterman, 576 F.3d 214 (5th Cir 2009)
40. Maldonado v. Thaler, 662 F. Supp. 2d 684 (S.D. Tex. 2009)
41. State v. McClellan, 317 Wis. 2d 732 (Wis. Ct. App. 2009)
42. United States v. Walker, 2008 CCA LEXIS 24 (N-M. Ct. Crim. App. 2008)
43. Williams v. Allen, 542 F.3d 1326 (11th Cir 2008)
44. Cooper v. McNeill, 2008 U.S. Dist. LEXIS 113372 (M.D. Fla. 2008)
45. United States ex rel Harris v. McCann, 558 F. Supp. 2d 826 (N.D. Ill. 2008)
46. Crawford v. Epps, 2008 WL 4419347 (N.D. Miss. 2008)
47. Bell v. Epps, 2008 U.S. Dist. LEXIS 58264 (N.D. Miss. 2008)
48. State v. Davis, 2008 Ohio App. LEXIS 5718 (Ohio Ct. App. 2008)
49. Commonwealth v. Gibson, 951 A.2d 1110 (Pa. 2008)
50. Strouth v. Bell, 2008 U.S. Dist. LEXIS 109144 (M.D. Tenn. 2008)
51. Chalmers v. State, 2008 Tenn. Crim. App. LEXIS 464 (Tenn. Crim. App. 2008)
52. Galloway v. Quarterman, 2008 U.S. Dist. LEXIS 97839 (N.D. Tex. 2008)
53. Campbell v. Bradshaw, 2007 U.S. LEXIS 101936 (S.D. Ohio 2007)
54. Taylor v. Horn, 504 F.3d 416 (3rd Cir 2007)
55. Hannon v. State, 941 So.2d 1109 (Fla. 2006)
56. Evans v. Florida, 946 So.2d 1 (Fla. 2006)
57. Ex parte Martinez, 195 S.W.3d 713 (Tex. Crim. App. 2006)
58. Nooner v. Norris, 402 F.3d 801 (8th Cir 2005)

59. Landrum v. Anderson, 2005 WL 3965399 (S.D. Ohio 2005)
60. Henderson v. State, 2005 WL 1541855 (Tenn. Crim. App. 2005)
61. Boyd v. State, 913 So.2d 1113 (Ala. Crim. App. 2003)
62. Hamblin v. Mitchell, 354 F.3d 482 (6th Cir 2003)
63. Slaughter v. Parker, 187 F. Supp. 2d 755 (W.D. Ky. 2001)
64. U.S. v. Gray, 51 M.J. 1 (C.A.A.F. 1999)
65. Aeschliman v. State, 973 P.2d 749 (Idaho Ct. App. 1999)
66. United States v. Murphy, 50 M.J. 4 (C.A.A.F. 1998)
67. Hill v. Butterworth, 170 F.R.D. 509 (N.D. Fla. 1997)
68. U.S. v. Curtis, 44 M.J. 106 (C.A.A.F. 1996)
69. Pitsonbarger v. Gramley, 103 F.3d 1293 (7th Cir 1996)
70. United States v. Davis, 1995 WL 405707 (E.D. La. 1995)
71. U.S. v. Loving, 41 M.J. 213 (C.A.A.F. 1994)
72. U.S. v. Loving, 34 M.J. 1065 (A.C.M.R. 1992)
73. U.S. v. Gray, 32 M.J. 730 (A.C.M.R. 1991)
74. U.S. v. Thomas, 33 M.J. 768 (N-M. Ct. Crim. App. 1991)
75. State v. Oglesby, 122 N.J. 522 (N.J. 1991)
76. State v. Savage, 120 N.J. 594 (N.J. 1990)