STRUCTURE OF THE ANALYSIS

Chief Justice Roberts, *Shoop v. Twyford* (2022)

A federal court's power to grant habeas relief is restricted under the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA), which provides that the writ may issue "only on the ground that [the prisoner] is in custody in violation of the Constitution or laws or treaties of the United States." 28 U. S. C. §2254(a). To understand the propriety of the transportation order the District Court entered while adjudicating Twyford's habeas corpus action, it is necessary to review the limits AEDPA imposes on federal courts. Congress enacted AEDPA "to reduce delays in the execution of state and federal criminal sentences, particularly in capital cases," *Woodford v. Garceau*, 538 U. S. 202, 206 (2003), and to advance "the principles of comity, finality, and federalism," *Williams v. Taylor*, 529 U. S. 420, 436 (2000) (*Michael Williams*). It furthered those goals "in large measure [by] revising the standards used for evaluating the merits of a habeas application." *Garceau*, 538 U. S., at 206. Pertinent here, §2254(d) provides that if a claim was adjudicated on the merits in state court, a federal court cannot grant relief unless the state court (1) contradicted or unreasonably applied this Court's precedents, or (2) handed down a decision "based on an unreasonable determination of the facts in light of the evidence presented in the State court proceeding." The question under AEDPA is thus not whether a federal court believes the state court's determination was incorrect, but whether that determination was unreasonable—"a substantially higher threshold" for a prisoner to meet.

AEDPA also restricts the ability of a federal habeas court to develop and consider new evidence. Review of factual determinations under §2254(d)(2) is expressly limited to "the evidence presented in the State court proceeding." And in *Cullen v. Pinholster*, 563 U. S. 170 (2011), we explained that review of legal claims under §2254(d)(1) is also "limited to the record that was before the state court." This ensures that the "state trial on the merits" is the "main event, so to speak, rather than a tryout on the road for what will later be the determinative federal habeas hearing."

Wainwright v. Sykes, 433 U. S. 72, 90 (1977) (internal quotation marks omitted).

If a prisoner "failed to develop the factual basis of a claim in State court proceedings," a federal court may admit new evidence, but only in two quite limited situations. Either the claim must rely on a "new" and "previously unavailable" "rule of constitutional law" made retroactively applicable by this Court, or it must rely on "a factual predicate that could not have been previously discovered through the exercise of due diligence." And even if a prisoner can satisfy one of those two exceptions, he must also show that the desired evidence would demonstrate, "by clear and convincing evidence," that "no reasonable factfinder" would have convicted him of the charged crime. Thus, although state prisoners may occasionally submit new evidence in federal court, "AEDPA's statutory scheme is designed to strongly discourage them from doing so." *Pinholster*, 563 U. S., at 186; see also *Michael Williams*, 529 U. S., at 437 ("Federal courts sitting in habeas are not an alternative forum for trying facts and issues which a prisoner made insufficient effort to pursue in state proceedings.").

We have explained that a federal court, in deciding whether to grant an evidentiary hearing or "otherwise consider new evidence" under §2254(e)(2), must first take into account these restrictions. The reasons for this are familiar. A federal court "may never needlessly prolong a habeas case, particularly given the essential need to promote the finality of state convictions," so a court must, before facilitating the development of new evidence, determine that it could be legally considered in the prisoner's case. *Shinn*, 596 U. S., at ___ (slip op., at 21) (internal quotation marks and citation omitted); see also *Bracy v. Gramley*, 520 U. S. 899, 904 (1997) ("A habeas petitioner, unlike the usual civil litigant in federal court, is not entitled to discovery as a matter of ordinary course."). If §2254(e)(2) applies and the prisoner cannot satisfy its "stringent requirements," *Michael Williams*, 529 U. S., at 433, holding an evidentiary hearing or otherwise expanding the state-court record would "prolong federal habeas proceedings with no purpose," *Shinn*, 596 U. S., at ___ (slip op., at 21) (internal quotation marks omitted). And that would in turn disturb the

"State's significant interest in repose for concluded litigation." *Harrington*, 562 U. S., at 103. A court therefore must, consistent with AEDPA, determine at the outset whether the new evidence sought could be lawfully considered.

This is true even when the All Writs Act is the asserted vehicle for gathering new evidence. We have made clear that a petitioner cannot use that Act to circumvent statutory requirements or otherwise binding procedural rules. See *Pennsylvania Bureau of Correction v. United States Marshals Service*, 474 U. S. 34, 43 (1985) ("Although [the Act] empowers federal courts to fashion extraordinary remedies when the need arises, it does not authorize them to issue ad hoc writs whenever compliance with statutory procedures appears inconvenient or less appropriate."); *Syngenta Crop Protection, Inc. v. Henson*, 537 U. S. 28, 32–33 (2002) (same). AEDPA provides the governing rules for federal habeas proceedings, and our precedents explain that a district court must consider that statute's requirements before facilitating the development of new evidence. See *Schriro*, 550 U. S., at 474; *see also Shinn*, 596 U. S., at ___ (slip op., at 21).

By the same token, a writ seeking new evidence would not be "necessary or appropriate in aid of" a federal habeas court's jurisdiction, as all orders issued under the All Writs Act must be, if it enables a prisoner to fish for unusable evidence, in the hope that it might undermine his conviction in some way. In every habeas case, "the court must be guided by the general principles underlying our habeas corpus jurisprudence." *Calderon v. Thompson*, 523 U. S. 538, 554 (1998). A writ that enables a prisoner to gather evidence that would not be admissible would "needlessly prolong" resolution of the federal habeas case, *Shinn*, 596 U. S., at ___ (slip op., at 21), and frustrate the "State's interest[] in finality," *Calderon*, 523 U.S., at 556. Cf. *Harris v. Nelson*, 394 U. S. 286, 300 (1969) (recognizing, before AEDPA, that a writ is "necessary or appropriate in aid of" a federal habeas court's jurisdiction if "specific allegations" show that the petitioner may, "if the facts are fully developed," be able to demonstrate that he is "entitled to relief").

A federal court order requiring a State to transport a prisoner to a public setting—here, a medical center for testing—not only delays resolution of his habeas case, but may also present serious risks to public safety. See Brief for State of Utah et al. as *Amici Curiae* 7–18 (describing the dangers inherent in prisoner transport); cf. *Price v. Johnston*, 334 U. S. 266, 285 (1948) (a court should not require that a prisoner be transported if doing so would cause "undue inconvenience or danger"). Commanding a State to take these risks so that a prisoner can search for unusable evidence would not be a "necessary or appropriate" means of aiding a federal court's limited habeas review.