

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DAMIAN LAJUAN WILLIAMS,

v.

CURTIS HUNTER.

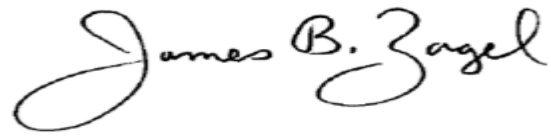
No. 14 C 9396
Judge James B. Zagel

MEMORANDUM OPINION AND ORDER

I have previously dismissed the habeas corpus petition filed by Damian LaJuan Williams. This was a Section 2254 motion. The reason the petition was barred was its untimely filing. I found that Petitioner did have adequate time to file a petition. I noted that he had a year or so to file for relief and, according to him and as is apparent from his filing, he needed a week or so to get his pleading together. There was a lot of spare time. Moreover, his claims are largely, if not entirely, based on state law claims rather than constitutional claims. Even assuming that there were constitutional claims, they come too late by a large margin. He seeks to appeal my dismissal of his petition, but he gives no valid reason to vacate my ruling. Even now he does not base his certificate of probable cause to appeal on the basis of constitutional errors in his state trial. He simply asserts that he did not know (constructively or otherwise) that he had to file within the statutory period of time and that his ignorance is "reasonable" and he was somehow "diligent" in pursuing his rights. There was a time some decades ago when there was no statutory time limit on habeas petitions. Congress passed a clear limitation (with clear exceptions) for those prisoners seeking the great writ. Williams did not comply with §§ 2254, and he offers no acceptable excuse for his clear lack of diligence to pursue the remedy Congress gave him.

The certificate of appealability, denied in this court, ought to be denied in the Court of Appeals.

ENTER:

A handwritten signature in black ink that reads "James B. Zagel". The signature is written in a cursive style with a large, looping initial "J".

James B. Zagel
United States District Judge

DATE: June 8, 2015