Syllabus

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States* v. *Detroit Timber & Lumber Co.,* 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

Syllabus

MAYLE, WARDEN *v.* FELIX

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

No. 04–563. Argued April 19, 2005—Decided June 23, 2005

Respondent Felix was convicted of murder and robbery in California state court and sentenced to life imprisonment. His current application for federal habeas relief centers on two alleged trial-court errors, both involving the admission of out-of-court statements during the prosecutor's case-in-chief but otherwise unrelated. Felix had made inculpatory statements during pretrial police interrogation. He alleged that those statements were coerced, and that their admission violated his Fifth Amendment privilege against self-incrimination. He also alleged that the admission of a videotape recording of testimony of a prosecution witness violated the Sixth Amendment's Confrontation Clause.

Felix's conviction was affirmed on appeal and became final on August 12, 1997. Under the one-year limitation period imposed by the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA), 28 U. S. C. §2244(d)(1), Felix had until August 12, 1998 to file a habeas petition in federal court. On May 8, 1998, in a timely filed habeas petition, Felix asserted his Confrontation Clause challenge to admission of the videotaped prosecution witness testimony, but did not then challenge the admission of his own pretrial statements. On January 28, 1999, over five months after the August 12, 1998 expiration of AEDPA's time limit and eight months after the court appointed counsel to represent him, Felix filed an amended petition asserting a Fifth Amendment objection to admission of his pretrial statements. In response to the State's argument that the Fifth Amendment claim was time barred, Felix asserted the rule that pleading amendments relate back to the filing date of the original pleading when both the original plea and the amendment arise out of the same "conduct, transaction, or occurrence set forth . . . in the original pleading," Fed. Rule Civ.

Proc. 15(c)(2). Because his Fifth Amendment and Confrontation Clause claims challenged the constitutionality of the same criminal conviction, Felix urged, both claims arose out of the same "conduct, transaction, or occurrence." The District Court dismissed the Fifth Amendment claim as time barred, and rejected the Confrontation Clause claim on its merits. The Ninth Circuit affirmed as to the latter claim, but reversed the dismissal of the coerced statements claim and remanded it for further proceedings. In the court's view, the relevant "transaction" for Rule 15(c)(2) purposes was Felix's state-court trial and conviction. Defining transaction with greater specificity, the court reasoned, would unduly strain the meaning of "conduct, transaction, or occurrence" by dividing the trial and conviction into a series of individual occurrences.

Held: An amended habeas petition does not relate back (and thereby avoid AEDPA's one-year time limit) when it asserts a new ground for relief supported by facts that differ in both time and type from those set forth in the original pleading. Pp. 7–18.

(a) Under §2244(d)(1), a one-year limitation period applies to a state prisoner's federal habeas application. Habeas Corpus Rule 11 permits application of the Federal Rules of Civil Procedure in habeas cases "to the extent [the civil rules] are not inconsistent with any statutory provisions or [the habeas] rules." Section 2242 provides that habeas applications "may be amended . . . as provided in the rules of procedure applicable to civil actions." Federal Rule of Civil Procedure 15(a) allows pleading amendments with "leave of court" any time during a proceeding. Before a responsive pleading is served, pleadings may be amended once as a "matter of course," *i.e.*, without seeking court leave. *Ibid.* Amendments made after the statute of limitations has run relate back to the date of the original pleading if the original and amended pleadings "ar[i]se out of the same conduct, transaction, or occurrence." Rule 15(c)(2). The "original pleading" in a habeas proceeding is the petition as initially filed. That pleading must "specify all the grounds for relief available to the petitioner" and "state the facts supporting each ground." Habeas Corpus Rule 2(c). A prime purpose of Rule 2(c)'s demand that petitioners plead with particularity is to assist the district court in determining whether the State should be ordered to "show cause why the writ should not be granted," §2243, or the petition instead should be summarily dismissed without ordering a responsive pleading. Habeas Corpus Rule 4. Pp. 7–9.

(b) Under the Ninth Circuit's comprehensive definition of "conduct, transaction, or occurrence," virtually any new claim introduced in an amended habeas petition will relate back, for federal habeas claims, by their very nature, challenge the constitutionality of a conviction or

sentence, and commonly attack proceedings anterior thereto. The majority of Circuits define "conduct, transaction, or occurrence" in federal habeas cases far less broadly, allowing relation back only when the claims added by amendment arise from the same core facts as the timely filed claims, and not when the new claims depend upon events separate in both time and type from the originally raised episodes. Under that view, Felix's own pretrial statements, newly raised in his amended petition, would not relate back because they were separated in time and type from the videotaped witness testimony. This Court is not aware, in the run-of-the-mine civil proceedings Rule 15 governs, of any reading of "conduct, transaction, or occurrence" as capacious as the Ninth Circuit's construction for habeas cases. Decisions applying Rule 15(c)(2) in the civil context illustrate that Rule 15(c)(2) relaxes, but does not obliterate, the statute of limitations; hence relation back depends on the existence of a common core of operative facts uniting the original and newly asserted claims. The Court disagrees with Felix's assertion that he seeks, and the Ninth Circuit accorded, no wider range for Rule 15(c)'s relation-back provision than was given the words "conduct, transaction, or occurrence" in *Tiller* v. *Atlantic Coast Line R. Co.*, 323 U. S. 574, 580–581. There, the amended complaint invoked a legal theory not suggested in the original complaint and relied on facts not originally asserted. Relation back was nevertheless permitted. In *Tiller,* however, there was but one "occurrence," the death of the petitioner's husband, which she attributed throughout to the respondent's failure to provide a safe workplace. In contrast, Felix targeted discrete episodes, the videotaped witness testimony in his original petition and his own interrogation at a different time and place in his amended petition. Pp. 9–13.

Felix's contention that the trial itself is the appropriate "transaction" or "occurrence" artificially truncates his claims by homing in only on what makes those claims actionable in a habeas proceeding. Although his self-incrimination claim did not ripen until the prosecutor introduced his pretrial statements at trial, the essential predicate for his Fifth Amendment claim was an extrajudicial event, *i.e.*, an out-of-court police interrogation. The dispositive question in an adjudication of that claim would be the character of the police interrogation, specifically, did Felix answer voluntarily or were his statements coerced. See *Haynes* v. *Washington,* 373 U. S. 503, 513–514. Under Habeas Corpus Rule 2(c)'s particularity-in-pleading requirement, Felix's Confrontation Clause claim would be pleaded discretely, as would his self-incrimination claim. Each separate congeries of facts supporting the grounds for relief, the Rule suggests, would delineate an "occurrence." Felix's and the Ninth Circuit's approach is

boundless by comparison, allowing a miscellany of claims for relief to be raised later rather than sooner and to relate back. If claims asserted after the one-year period could be revived simply because they relate to the same trial, conviction, or sentence as a timely filed claim, AEDPA's limitation period would have slim significance. Pp. 13–16.

Felix's argument that a firm check against petition amendments presenting new, discrete claims after AEDPA's limitation period has run is provided by Rule 15(a)—which gives district courts discretion to deny petition amendments once a responsive pleading has been filed—overlooks a pleader's right to amend without leave of court "any time before a responsive pleading is served." That time can be long under Habeas Corpus Rule 4, pursuant to which a petition is not served until the judge first examines it to determine whether "it plainly appears . . . that the petitioner is not entitled to relief." This Court's reading that relation back will be in order so long as the original and amended petitions state claims that are tied to a common core of operative facts is consistent with Rule 15(c)(2)'s general application in civil cases, with Habeas Corpus Rule 2(c), and with AEDPA's tight time line for petitions. Pp. 16–18.

379 F. 3d 612, reversed and remanded.

GINSBURG, J., delivered the opinion of the Court, in which REHNQUIST, C. J., and O'CONNOR, SCALIA, KENNEDY, THOMAS, and BREYER, JJ., joined. SOUTER, J., filed a dissenting opinion, in which STEVENS, J., joined.