

murder as charged in the complaint. *docket record, indictment*. Carrillo entered a not guilty plea at her arraignment on April 2, 2018. *docket record*.¹

2. On May 2 and 3, 2019, hearings were held on Carrillo’s motion to suppress (*R. Murray, J. presiding*). *docket record, motion to suppress transcripts*. On December 6, 2019, Carrillo’s jury trial began (*R. Murray, J. presiding*). *docket record, trial transcript*. On December 18, 2019, the jury returned a guilty verdict. *docket record, trial transcript*.

3. On February 21, 2020, the Superior Court (*R. Murray, J.*) adjudged Carrillo guilty as charged and convicted. *docket record*. The court then imposed a term of 48 years of imprisonment to the custody of the Department of Corrections. *docket record, judgment & commitment order*.

4. On March 12, 2020, Carrillo filed a notice of direct appeal from the judgment of conviction pursuant to M.R. App. P. 2A(b)(1) and 15 M.R.S. § 2115. *State of Maine v. Sharon Carrillo, Wal-20-103; docket record, Law Court docket sheet*. On April 1, 2021, the Maine Law Court affirmed Carrillo’s judgment of conviction. *State of Maine v. Carrillo, 2021 ME 18, 248 A.3d 193; Law Court docket sheet, briefs, decision*.²

¹ On April 23, 2018, Carrillo filed a notice of direct appeal from the Superior Court’s (*R. Murray, J.*) order denying her motion to disqualify the State’s attorneys from further participation in her prosecution for murder. M.R. App. P. 2A(b)(1); 15 M.R.S. § 2115; *State of Maine v. Sharon Carrillo, Wal-18-149; docket record*. On July 3, 2018, the Maine Law Court dismissed the appeal as interlocutory, concluding that the denial of a motion to disqualify is not a final judgment, and Carrillo failed to meet her burden of establishing an exception to the final judgment rule. *State v. Carrillo, 2018 ME 84, 187 A.3d 621*.

Because Carrillo raised no claims regarding this appeal in the state post-conviction review or discretionary PCR appeal proceedings, the Respondent has not included this matter as part of the state court record. However, if this Court deems it necessary, the Respondent will supplement the state court record with the appropriate documents.

² On March 12, 2020, Carrillo also filed a separate application for leave to appeal her sentence pursuant to M.R. App. P. 20 and 15 M.R.S. § 2151. *State of Maine v. Sharon Carrillo, SRP-17-126*. On April 20, 2020, the Sentence Review Panel granted Carrillo’s application and ordered that her sentence would be considered with the direct appeal from the judgment of conviction. In the same decision, *State of Maine v. Carrillo, 2021 ME 18, 248 A.3d 193*, the Maine Law Court affirmed Carrillo’s sentence.

5. On March 4, 2022, Carrillo signed a *pro se* state petition for post-conviction review pursuant to 15 M.R.S. § 2121 et seq. and M.R.U. Crim. P. 65 et seq., which was filed with the Superior Court on March 16, 2022, and later amended. *Sharon Carrillo v. State of Maine*, Superior Court, Wal. Cty., Docket No. WALCD-CR-2022-00120; *PCR docket record, petition, amended petition*. On March 21, 2024, an evidentiary hearing was held (*R. Murray, J. presiding*). *PCR docket record, evidentiary hearing transcript, petitioner's exhibits 1-10, post-hearing memos*. On May 6, 2024, the Superior Court (*R. Murray, J.*) issued an order denying the petition. *PCR docket record, decision*.

6. On May 28, 2024, Carrillo filed a notice of discretionary appeal to the Maine Law Court from the denial of her state petition for post-conviction review pursuant to M.R. App. P. 19(a)(2)(F) and 15 M.R.S. § 2131. *Sharon Carrillo v. State of Maine*, Maine Law Court, Wal-24-243; *PCR docket record, Law Court discretionary appeal docket sheet*. On July 17, 2024, Carrillo filed a memorandum in support of her request for a certificate of probable cause to appeal the denial of her state petition. *Law Court discretionary appeal docket sheet, memo*. On January 2, 2025, the Maine Law Court issued an order denying a certificate of probable cause to appeal. *Law Court discretionary appeal docket sheet, order*.

7. On January 9, 2026, Carrillo filed the current Section 2254 petition, which does not include the date on which she signed the petition.

Because Carrillo's current Section 2254 petition articulates no claims regarding her sentence, the Respondent has not included the sentence appeal as part of the state court record. However, if this Court deems it necessary, the Respondent will supplement the state court record with the appropriate documents.

II. RESPONSE TO PETITIONER'S ALLEGATIONS

Carrillo's Section 2254 petition alleges two claims, namely, ineffective assistance of counsel for:

1. Failing to utilize photographs taken shortly after her arrest depicting injuries to her allegedly caused by her husband, and
2. Failing to timely and adequately object to the State's question on cross-examination about statements Carrillo made to fellow inmate Shawna Gatto ("Gatto").

Carrillo did include the above claims related to ineffective assistance of trial counsel in her amended petition for post-conviction review in the state Superior Court. She also raised these claims in her memorandum to the Law Court in support of a certificate of probable cause to appeal the denial of her amended petition.

As for the merits of the two alleged claims, the law set forth in *Strickland v. Washington*, 466 U.S. 688 (1984) (Sixth Amendment right to effective assistance of counsel), constitutes "clearly established federal law" within the meaning of 28 U.S.C. § 2254(d)(1). The attached state court record establishes that the state Superior Court's denial of the claims in Carrillo's state post-conviction review petition, and the Law Court's affirmation of that denial, was not contrary to, nor an unreasonable application of, the United States Supreme Court's decision in *Strickland*.

The state Superior Court found as presumptively correct fact that Carrillo failed to establish either prong of the *Strickland* analysis. Regarding claim one, significant evidence was introduced by Carrillo demonstrating that she was a victim of domestic violence. Thus, the photographs, which depicted only minor injuries to Carrillo, were unnecessary for the jury to conclude that, at the time of the murder, Carrillo was being abused by her husband. Moreover, Carrillo's minor injuries stand in stark contrast to the photographs depicting the

extensive and extreme injuries inflicted on the child victim by Carrillo and her husband. Accordingly, no probability exists that, even if trial counsel had introduced these photographs, the jury would have concluded that Carrillo's minor injuries excused her infliction of severe, death producing injuries on her daughter.

Regarding claim two, the Superior Court found as presumptively correct fact that an approximately 45 second delay between the first mention of Gatto's name and trial counsel's objection was not unreasonable under the circumstances. Additionally, no probability exists that this brief delay undermines confidence in the outcome of the trial given the extensive evidence upon which the jury could, and did, find that Carrillo's confessions to law enforcement were credible. Indeed, the attached state record establishes that, beyond the photographs of Carrillo's minor injuries and the brief reference to statements she made to Gatto, the evidence of Carrillo's guilt was overwhelming.

III. ATTACHMENTS

The Respondent presents to this Court as attachments the following materials:

- A. *State of Maine v. Sharon Carrillo*,
Maine Superior Court, Wal. Cty.,
Docket No. WALCD-CR-2018-00146
[underlying criminal case]:
 - 1. docket record;
 - 2. complaint;
 - 3. indictment;
 - 4. motion to suppress transcripts;
 - 5. trial transcripts;
 - 6. judgment & commitment order.

- B. *State of Maine v. Sharon Carrillo*,
Maine Law Court,
Docket No. Wal-20-103
[direct appeal]:
 - 1. docket sheet;
 - 2. briefs;

3. decision.

C. *Sharon Carrillo v. State of Maine*,
Maine Superior Court, Wal. Cty.,
Docket No. WALCD-CR-2022-00120
[state post-conviction review]:

1. docket record;
2. petition;
3. amended petitions;
4. evidentiary hearing transcript;
5. Petitioner's exhibits 1-10
6. post-hearing memos;
7. decision.

D. *Sharon Carrillo v. State of Maine*,
Maine Law Court,
Docket No. Wal-24-243
[discretionary PCR appeal]:

1. docket sheet;
2. memo in support of COPC;
3. order denying COPC.

IV. CONCLUSION

WHEREFORE, Respondent respectfully requests this Court to dismiss or deny the "Petition Under 28 U.S.C. § 2254 For Writ of Habeas Corpus By A Person In State Custody" relative to Sharon Carrillo and deny the writ.

Respectfully submitted,

Dated: February 25, 2026

/s/ Katie Sibley _____
KATIE SIBLEY
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V. **CERTIFICATE OF SERVICE**

I, Katie Sibley, Assistant Attorney General, hereby certify that I have this date caused a copy of the foregoing “RESPONDENT’S MOTION TO DISMISS/ANSWER...”, with attachments, to be served upon Petitioner at the prison.

Dated: February 25, 2026

/s/ Katie Sibley _____
KATIE SIBLEY
Assistant Attorney General
Criminal Division

SHARON CARRILLO v. MAINE CORRECTIONAL CENTER

PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2254

Civil No. 1:26-cv-00009-SDN

ATTACHMENTS

Attachments (state court records) have been filed in paper with the Clerk's Office in accordance with the requirements of the Administrative Procedures.