

## 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**

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**ARTUZ, SUPERINTENDENT, GREEN HAVEN  
CORRECTIONAL FACILITY v. BENNETT****CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR  
THE SECOND CIRCUIT**

No. 99–1238. Argued October 10, 2000– Decided November 7, 2000

A New York trial court orally denied respondent's 1995 motion to vacate his state conviction. Subsequently, the Federal District Court dismissed respondent's federal habeas petition as untimely, noting that it was filed more than one year after the effective date of the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA). In reversing and remanding, the Second Circuit concluded that 28 U. S. C. §2244(d)(2), which tolls AEDPA's limitations period during the time that a "properly filed" application for state postconviction relief is pending, also tolls the 1-year grace period which the Circuit has allowed for the filing of applications challenging pre-AEDPA convictions; that, in the absence of a written order, respondent's 1995 motion was still pending under §2244(d)(2); and that the 1995 motion was properly filed because it complied with rules governing whether an application for state postconviction relief is "recognized as such" under state law. It thus rejected petitioner's contention that the 1995 application was not properly filed because the claims it contained were procedurally barred under New York law.

*Held:* That respondent's application for state postconviction relief contained procedurally barred claims does not render it improperly filed under §2244(d)(2). An application is "filed," as that term is commonly understood, when it is delivered to, and accepted by, the appropriate court officer for placement into the official record; and it is "properly filed" when its delivery and acceptance are in compliance with the applicable laws and rules governing filings, *e.g.*, requirements concerning the form of the document, applicable time limits upon its delivery, the court and office in which it must be lodged, and payment of a filing fee. By construing "properly filed application" to mean ap-

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plication “raising claims that are not mandatorily procedurally barred,” petitioner elides the difference between an “application” and a “claim.” The state procedural bars at issue set forth conditions to obtaining relief, rather than conditions to filing. Pp. 4–7.

199 F. 3d 116, affirmed.

SCALIA, J., delivered the opinion for a unanimous Court.