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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA-WESTERN DIVISION

JOSEPH HILL, III,	)	Case No. CV 17-02486-DSF (AS)
	)	
Petitioner,	)	<b>ORDER OF DISMISSAL</b>
	)	
v.	)	
	)	
Judge KIM,	)	
	)	
Respondent.	)	
_____	)	

**I. BACKGROUND**

On March 24, 2017, Joseph Hill, III ("Petitioner"), proceeding pro se, filed a Petition for Writ of Habeas Corpus by a Person in State Custody pursuant to 28 U.S.C. § 2254 ("Petition"), in the United States District Court for the Eastern District of California. (Docket Entry No. 1). On March 28, 2017,

1 the Petition was transferred to the United States District Court  
2 for the Central District of California. (Docket Entry No. 6).

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4 A Petition for Writ of Habeas Corpus can only be issued if  
5 petitioner is in state custody and that such custody is in  
6 violation of the Constitution, laws or treaties of the United  
7 States. 28 U.S.C. § 2254(c). Petitioner fails to allege any  
8 claim(s), much less any claims which go to the fact or duration  
9 of his confinement. See Preiser v. Rodriguez, 411 U.S. 475, 489  
10 (1973).

11  
12 Moreover, since Petitioner has failed to name the proper  
13 respondent, the name of the state officer having custody over  
14 Petitioner (i.e., prison warden), see Stanley v. California  
15 Supreme Court, 21 F.3d 359, 360 (9th Cir. 1984); Rule 2(a), Rules  
16 Governing Section 2254 Cases in the United States Supreme Court,  
17 the Court lacks jurisdiction over the Petition. See Smith v.  
18 Idaho, 392 F.3d 350, 352-55 (9th Cir. 2004).

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20 Since Petitioner does not state a claim for relief under 28  
21 U.S.C. § 2254, dismissal of the Petition is warranted.

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