



1 Counsel for Petitioner advise that counsel for Respondent, Deputy Attorney General  
2 Sean McCoy, has no objection to the motion.

3 The Court, having reviewed Petitioner’s motion, the record, and the controlling law will  
4 grant substitution of Sircoya M. Williams as named Respondent, as discussed below.

5 A petition for writ of habeas corpus by an applicant in custody under a state court  
6 judgment shall name as respondent the state officer who has custody. 28 U.S.C. § 2242;  
7 Rules Governing § 2254 Cases, Rule 2(a); *see also* Fed. R. Civ. P. 25(d) (providing for the  
8 automatic substitution of a successor public officer for a predecessor public officer named as  
9 a party in an official capacity). A failure to name the proper respondent destroys personal  
10 jurisdiction. *Stanley v. California Supreme Court*, 21 F.3d 359, 360 (9th Cir. 1994); *see also*  
11 *Johnson v. Reilly*, 349 F.3d 1149, 1153 (9th Cir. 2003) (the warden of the penitentiary where  
12 a prisoner is confined constitutes the custodian who must be named in the petition). Petitioner  
13 was incarcerated at San Quentin State Prison at the time the initial petition was filed. (Doc.  
14 29 at 1.) Petitioner named the warden of that institution as Respondent. (*Id.*) Counsel state  
15 that Petitioner now has been transferred to California Medical Facility at Vacaville, and is in  
16 the custody of the warden of that institution. (Doc. 330 at 2.) The Court takes notice that the  
17 official website of the California Department of Corrections and Rehabilitation reflects: (i) the  
18 California Medical Facility is located at 1600 California Drive, Vacaville, California, 95687,  
19 (ii) the present warden of the California Medical Facility is Sircoya M. Williams, and (iii)  
20 Petitioner is presently incarcerated at the California Medical Facility at Vacaville. *See* n.2;  
21 California Incarcerated Records & Information Search (CIRIS) - CDCR [re John Lee Holt]  
22 (last visited January 3, 2025); Fed. R. Evid. 201.

23 The Court’s jurisdiction over this proceeding is unaffected by Petitioner’s transfer to  
24 the California Medical Facility at Vacaville. Petitioner claims that in the course of the  
25 proceedings resulting in his conviction, he suffered violations of his Constitutional rights.  
26 (Doc. 29 at 1-197.) The challenged judgment was rendered by the Kern County Superior  
27 Court of the State of California, which is located within the territorial jurisdiction of this  
28 Court. (Doc. 29 at 1); 28 U.S.C. §§ 84(b), 2241(a)(d), and 2254(a); Local Rules for the

1 Eastern District of California, Rule 191(f); *see also Francis v. Rison*, 894 F.2d 353, 354 (9th  
2 Cir. 1990) (citing *Smith v. Campbell*, 450 F.2d 829, 834 (9th Cir.1971)) (“[J]urisdiction  
3 attaches on the initial filing for habeas corpus relief, and it is not destroyed by a transfer of the  
4 petitioner and the accompanying custodial change.”).

5 THEREFORE, the Court orders that:

- 6 1. Petitioner’s motion to substitute the Warden of California Medical Facility at  
7 Vacaville, currently Sircoya M. Williams, as Respondent in place of Oak Smith,  
8 Warden of San Quentin State Prison (Doc. 330), is GRANTED.
- 9 2. The Clerk of the Court is directed to SUBSTITUTE the name of Sircoya M.  
10 Williams, Warden of California Medical Facility, for Warden Oak Smith,  
11 Warden of San Quentin State Prison, as named Respondent in this action.

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14 IT IS SO ORDERED.

15 Dated: January 6, 2025

  
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UNITED STATES DISTRICT JUDGE