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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 GERALD A. DAVIS,) 1:09-CV-01812 OWW GSA HC
12 Petitioner,)
13) ORDER CONSTRUING PETITIONER'S
14 v.) MAY 18, 2010, FILING AS MOTION TO
15) AMEND THE PETITION TO NAME A
16 BRENDA CASH, Warden,) PROPER RESPONDENT
17 Respondent.) [Doc. #9]
) ORDER GRANTING MOTION TO NAME
) PROPER RESPONDENT
) ORDER DIRECTING CLERK OF COURT
) TO CHANGE NAME OF RESPONDENT

19 Petitioner is a state prisoner proceeding pro se with a petition for writ of habeas corpus
20 pursuant to 28 U.S.C. § 2254.

21 On April 19, 2010, the Court preliminarily reviewed the petition and found Petitioner had
22 failed to name a proper respondent. The Court granted Petitioner leave to amend the petition and
23 name a proper respondent. On May 18, 2010, Petitioner filed the first page of his original petition
24 wherein he changed the name of Respondent to “Warden Brenda Cash.” Petitioner is incarcerated at
25 California State Prison, Los Angeles County, and Brenda Cash is presently the warden of that
26 institution. Therefore, Brenda Cash is the proper respondent in this matter.

ORDER

Accordingly, Petitioner's May 18, 2010, filing is CONSTRUED as a motion to amend the

1 petition to name a proper respondent, and Petitioner's motion is hereby GRANTED. The Clerk of
2 Court is DIRECTED to change the name of Respondent to "Brenda Cash."
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4 IT IS SO ORDERED.

5 Dated: June 2, 2010

6 /s/ Gary S. Austin
7 UNITED STATES MAGISTRATE JUDGE
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