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9 UNITED STATES DISTRICT COURT  
10 EASTERN DISTRICT OF CALIFORNIA

11 GERALD A. DAVIS, ) 1:09-CV-01812 OWW GSA HC  
12 )  
13 Petitioner, ) ORDER CONSTRUING PETITIONER'S  
14 v. ) MAY 18, 2010, FILING AS MOTION TO  
15 ) AMEND THE PETITION TO NAME A  
16 ) PROPER RESPONDENT  
17 ) [Doc. #9]  
18 BRENDA CASH, Warden, ) ORDER GRANTING MOTION TO NAME  
19 ) PROPER RESPONDENT  
20 Respondent. ) ORDER DIRECTING CLERK OF COURT  
21 ) TO CHANGE NAME OF RESPONDENT  
22 )

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

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

29 **ORDER**

30 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."

3  
4 IT IS SO ORDERED.

5 Dated: June 2, 2010

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE