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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

<p>GARY DALE BARGER, Petitioner, v. CDCR DIRECTOR, et al., Respondents.</p>	<p>) Case No.: 1:15-cv-00306-JLT)) ORDER DENYING PETITIONER’S MOTION TO) CHANGE RESPONDENT’S NAME (Doc. 13))) ORDER DENYING PETITIONER’S MOTION TO) AUGMENT THE RECORD (Doc. 14))) ORDER GRANTING PETITIONER’S MOTIONS) FOR EXTENSION OF TIME TO FILE AMENDED) PETITION (Docs. 13 & 14))) ORDER DIRECTING CLERK OF THE COURT TO) SEND PETITIONER A BLANK SEC. 2254 FORM)) THIRTY DAY DEADLINE</p>
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This petition was filed in the U.S. District Court for the Northern District of California and transferred to this Court on February 25, 2015. (Docs. 1; 4; 5). After conducting a preliminary screening of the petition, the Court, on March 5, 2015, issued an order requiring Petitioner to file a first amended petition because (1) Petitioner’s claims were unintelligible; (2) Petitioner had not provided sufficient information to determine whether the claims in the petition were exhausted; and (3) it appeared that the petition may be untimely and additional information was required from Petitioner to make a final determination. (Doc. 8). The Court granted Petitioner thirty days within which to file an amended petition.

1 On March 23, 2015, Petitioner filed a virtually unintelligible motion that appears to request
2 three things: (1) that the Court change the name of Respondent to Ventura Superior Court; (2) that the
3 Court augment the record in some unspecified way; and (3) that Petitioner be granted an additional
4 thirty days within which to file his amended petition. (Doc. 9). On March 30, 2015, Petitioner filed a
5 motion for change of venue to the Ventura County Superior Court. (Doc. 11).

6 On April 17, 2015, the Court granted the request for an extension of time to file the amended
7 petition, but denied all other motions. (Doc. 12). On May 6, 2015, Petitioner filed yet another motion
8 to change the name of the Respondent, a motion to augment the record, and another request for an
9 extension of time to file the amended petition. (Docs. 13 & 14).

10 DISCUSSION

11 **A. Name of Respondent**

12 Petitioner has once again requested that this Court permit him to change the name of the
13 Respondent to “California Criminal Justice System Employees.” (Doc. 13). As the Court has already
14 explained, the only respondent over whom this Court can exert habeas jurisdiction is the warden of
15 Petitioner’s current place of incarceration. If the name of Respondent is changed to any other
16 individual, the Court would lack jurisdiction and have to dismiss the petition. Accordingly, that motion
17 will be denied.

18 **B. Augmenting the Record**

19 Petitioner’s second request to expand the record is as unintelligible as his first motion.
20 Petitioner provides no details of what documents or evidence he wishes to have included in the record.
21 Moreover, the usual procedure in federal habeas cases is to require Respondent to file the entire record
22 if and when the Court determines that an answer to the petition must be filed. Accordingly, until
23 Petitioner can articulate specific details and grounds justifying a deviation from the normal procedures
24 the Court employees in these types of cases, Petitioner’s requests to expand the record will be denied.

25 **C. Extension of Time**

26 Petitioner appears to have requested a second extension of time of thirty days within which to
27 file his first amended petition. **The Court will grant the requested extension; however, no further**
28 **extensions will be granted.**

1 **ORDER**

2 Accordingly, the Court **ORDERS**:

- 3 1. Petitioner’s motion for change of Respondent’s name (Doc. 13), is **DENIED**;
- 4 2. Petitioner’s motion to augment the record (Doc. 14), is **DENIED**;
- 5 3. Petitioner’s motion for an extension of time to file a first amended petition (Docs. 13 &
- 6 14) is **GRANTED**. Petitioner is granted thirty days from the date of service of this order within
- 7 which to file his amended petition. **No further extensions of time will be granted.**
- 8 4. The Clerk of the Court is DIRECTED to send Petitioner a blank Sec. 2254 form petition.
- 9 **Petitioner is forewarned that failure to comply with this order will result in a**
- 10 **recommendation to dismiss the petition.**

11

12 IT IS SO ORDERED.

13 Dated: May 20, 2015

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE