

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

3
4 **BRET D. GALLAGHER,**

5 **Petitioner,**

6 **v.**

7 **DEBBIE ASUNCION, Warden,**

8 **Respondent.**

Case No. 1:16-cv-01177-AWI-SKO HC

ORDER DIRECTING CLERK
OF COURT TO AMEND CAPTION

(Doc. 23)

9
10 "If the petitioner is currently in custody under a state court judgment, the petition must name
11 as respondent the state officer who has custody." Rule 2(a) of the Rules Governing Section 2254
12 Cases in the United States District Courts. Petitioner has advised the Court that he is presently
13 incarcerated in California State Prison, Corcoran. As a result, Debbie Asuncion, the warden of the
14 California State Prison, Lancaster, no longer has custody of Petitioner. David Davey, Warden of
15 California State Prison, Corcoran, now has custody of Petitioner.

16
17 Accordingly, the Court hereby ORDERS the Clerk of Court to amend the caption in this
18 matter to reflect the name of David Davey, Warden, California State Prison, Corcoran, as
19 Respondent.

20
21 IT IS SO ORDERED.

22
23 Dated: January 31, 2017

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE