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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

HOUA LAO,

Petitioner,

2: 08 - cv - 3171 - MCE TJB

vs.

FRANCISCO JACQUES, Warden

Respondent.

ORDER AMENDING CAPTION

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Petitioner, Houa Lao, a state prisoner, is proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. A petition for habeas corpus relief must name as respondent the state officer having custody of petitioner, typically the warden of the prison in which the petitioner is incarcerated. Stanley v. California Supreme Court, 21 F.3d 359, 360 (9th Cir. 1994) (citing Rule 2(a), Rules Governing Proceedings under 28 U.S.C. § 2254 (“[i]f the petitioner is currently in custody under a state-court judgment, the petition must name as respondent the state officer who has custody”)). At the time Petitioner filed his amended federal habeas petition, he was incarcerated at the Pelican Bay State Prison and named Francisco Jacques, who was then Warden of Pelican Bay State Prison, as the Respondent. However, Petitioner filed a notice of change of address on March 30, 2010 which stated that he is now incarcerated at the California State Prison, Sacramento. Because Tim Virga is the individual

