

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRYON C. JOHNSON,
Petitioner,
v.
DANIEL E. CUEVA, Acting Warden,
Respondent.

No. 2:20-cv-02060 JAM GGH P

ORDER

It is unclear whether petitioner is challenging state or federal custody, both of which, according to petitioner’s calculations, should have expired. It appears petitioner is alleging that he received a four-year federal sentence, consecutive to his 1986 state sentence, most probably from the district court located in Fresno, CA. According to petitioner, this federal sentence would have expired in or about 2020. The present state respondent alleges in his Motion to Dismiss that petitioner received additional life imprisonment state sentences in 1999 and 2007.

The Clerk shall serve a copy of the petition on the United States Attorney. The assigned Assistant United States Attorney is requested to give a status on what is known about this petitioner’s federal custody, if anything, including whether it is governed by the 1986 sentence. It may be that, although petitioner is a life prisoner in the state system, he seeks merely to clear up

////

1 his federal sentence status. The status report shall be filed within twenty days of the filed date of
2 this order.

3 If appropriate, after receipt of the status report, the Court may order service of the petition
4 on the pertinent federal respondent.

5 IT IS SO ORDERED.

6 Dated: April 26, 2021

7 /s/ Gregory G. Hollows
8 UNITED STATES MAGISTRATE JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28