

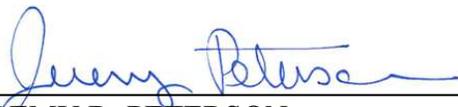
1 Petitioner argues that, in December 2020, a California state court dismissed his habeas
2 petition after finding that he was “out of custody.” ECF No. 1 at 2. He does not state whether he
3 appealed that decision to the California Supreme Court before bringing this action. Neither does
4 he offer an intelligible argument as to why, if he is no longer in custody, habeas relief remains
5 viable. Additionally, I cannot tell what claims are being raised. Petitioner alludes to violations of
6 his *Miranda* rights and an unlawful arrest, *id.* at 5, several instances of ineffective assistance of
7 counsel, *id.* at 5-7, 9, and prosecutorial misconduct at trial, *id.* at 8. The petition does not specify
8 whether each of these issues is a separate claim or if some are being offered only for context.
9 And, even if all are assumed to be claims, they are too vaguely pleaded to proceed. Petitioner
10 mentions events involving law enforcement in Oklahoma but offers little specific background.
11 He argues that his counsel made errors at trial but does not describe the alleged prejudice that he
12 suffered. If this petition is to proceed, petitioner must label and explain each of the claims that he
13 seeks to raise.

14 It is ORDERED that:

- 15 1. Petitioner may file an amended petition within sixty days of this order’s entry. If
16 he does not, I will recommend that the current petition be dismissed for the reasons stated in this
17 order.
- 18 2. The Clerk of Court is directed to send petitioner a federal habeas form.

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20 IT IS SO ORDERED.

21 Dated: September 8, 2021

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23 JEREMY D. PETERSON
24 UNITED STATES MAGISTRATE JUDGE
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