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

TOMMIE LEE JACKSON, AK2465,)	
)	
Petitioner,)	No. C 13-4883 CRB (PR)
)	
vs.)	ORDER TO SHOW CAUSE
)	
P. D. BRAZELTON, Warden,)	(Docket #2 & 4)
)	
Respondent.)	
_____)	

Petitioner, a state prisoner incarcerated at Pleasant Valley State Prison, has filed a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2254 challenging a conviction from Contra Costa County Superior Court. He also seeks to proceed in forma pauperis under 28 U.S.C. § 1915.

BACKGROUND

Petitioner was convicted by a jury of six counts of lewd conduct toward a child. The court also found that petitioner had suffered two prior serious felony convictions and other felony convictions. On October 28, 2011, the court struck one of petitioner’s prior serious felony convictions and sentenced him to a prison term of 14 years eight months.

Petitioner unsuccessfully appealed his conviction to the California Court of Appeal and the Supreme Court of California, which on July 10, 2013 denied review of a petition allegedly raising the claims raised here.

1 **DISCUSSION**

2 A. Standard of Review

3 This court may entertain a petition for a writ of habeas corpus “in behalf
4 of a person in custody pursuant to the judgment of a State court only on the
5 ground that he is in custody in violation of the Constitution or laws or treaties of
6 the United States.” 28 U.S.C. § 2254(a).

7 It shall “award the writ or issue an order directing the respondent to show
8 cause why the writ should not be granted, unless it appears from the application
9 that the applicant or person detained is not entitled thereto.” Id. § 2243.

10 B. Claims

11 Petitioner seeks federal habeas corpus relief by raising several claims,
12 including denial of his right to recall the victim to the stand, improper denial of
13 his motions to dismiss jury verdict, ineffective assistance of counsel, denial of his
14 right to present evidence and improper suppression of evidence. Liberally
15 construed, the claims appear cognizable under § 2254 and merit an answer from
16 respondent. See Zichko v. Idaho, 247 F.3d 1015, 1020 (9th Cir. 2001) (federal
17 courts must construe pro se petitions for writs of habeas corpus liberally).

18 **CONCLUSION**

19 For the foregoing reasons and for good cause shown,

20 1. Petitioner’s request to proceed in forma pauperis (docket #2 & 4) is
21 GRANTED.

22 2. The clerk shall serve a copy of this order and the petition and all
23 attachments thereto on respondent and respondent’s attorney, the Attorney
24 General of the State of California. The clerk also shall serve a copy of this order
25 on petitioner.

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