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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RONALD KNUTSON,
Plaintiff,
v.
MARTIN BITER,
Defendant.

Case No. [14-cv-01472-JD](#)

ORDER OF DISMISSAL

Re: Dkt. Nos. 10, 11

Petitioner, a California prisoner, filed a pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner was convicted in Santa Clara County, which is in this district, so venue is proper here. *See* 28 U.S.C. § 2241(d). The original petition was dismissed with leave to amend and he has filed an amended petition.

DISCUSSION

I. STANDARD OF REVIEW

This Court may entertain a petition for writ of habeas corpus “in behalf of a person in custody pursuant to the judgment of a State court only on the ground that he is in custody in violation of the Constitution or laws or treaties of the United States.” 28 U.S.C. § 2254(a); *Rose v. Hodges*, 423 U.S. 19, 21 (1975). Habeas corpus petitions must meet heightened pleading requirements. *McFarland v. Scott*, 512 U.S. 849, 856 (1994). An application for a federal writ of habeas corpus filed by a prisoner who is in state custody pursuant to a judgment of a state court must “specify all the grounds for relief available to the petitioner ... [and] state the facts supporting each ground.” Rule 2(c) of the Rules Governing § 2254 Cases, 28 U.S.C. § 2254. “[N]otice’ pleading is not sufficient, for the petition is expected to state facts that point to a ‘real possibility

1 of constitutional error.”” Rule 4 Advisory Committee Notes (quoting *Aubut v. Maine*, 431 F.2d
2 688, 689 (1st Cir. 1970)).

3 **II. LEGAL CLAIMS**

4 While petitioner does not state when he was convicted and sentenced, the California Court
5 of Appeal affirmed the conviction in 2006. *People v. Knutson*, No. H029611, 2006 WL 3639259
6 (Cal. Ct. App. Dec. 14, 2006).¹ The original petition was dismissed with leave to amend as it
7 appeared to be untimely and the petition did not set forth specific habeas claims and much of it
8 was illegibly handwritten and incomprehensible. It was noted that petitioner previously filed a
9 habeas case in this Court regarding the same conviction in 2008 that was dismissed without
10 prejudice. *Knutson v. Jacquez*, Case No. 08-cv-5694-CW. The handwritten filings in that case
11 were also difficult to decipher and the claims were incomprehensible. Docket No. 14 in Case No.
12 08-cv-5694-CW.

13 The amended petition has failed to cure the deficiencies described in the Court’s prior
14 order. The majority of the amended petition is illegible and the Court cannot ascertain the relief
15 petitioner seeks. He has not presented specific habeas claims and refers to the mafia, gambling,
16 Bugsy Malone, Indian Tribe Gaming and court hearings in Santa Clara County Superior Court.²
17 As petitioner has again failed to present specific habeas claims or address the timeliness of the
18 petition, the case is dismissed.

19 **CONCLUSION**

- 20 1. The motions to compel discover (Docket Nos. 10, 11) are **DENIED**.
21 2. The petition is **DISMISSED** for the reasons set forth above.

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¹ Following a court trial, petitioner was convicted of attempted kidnapping and felony false
26 imprisonment. As petitioner had suffered four prior convictions for serious felonies and strikes,
he was sentenced to 25 years to life, consecutive to 20 years.

27 ² Petitioner has presented similar allegations in a civil rights complaint filed around the same time
28 as this case in the Eastern District of California. *See Knutson v. Kern Valley State Prison*, Case
No. 14-cv-0448-SKO.

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Because reasonable jurists would not find the result here debatable, a certificate of appealability (“COA”) is **DENIED**. See *Slack v. McDaniel*, 529 U.S. 473, 484-85 (2000) (standard for COA). The clerk shall close the file.

IT IS SO ORDERED.

Dated: August 5, 2014



JAMES DONATO
United States District Judge

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 8/6/2014, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Ronald Knutson
D4-115
Kern Valley State Prison
P.O. Box 5104
Delano, CA 93216-6000

Dated: 8/6/2014

Richard W. Wieking
Clerk, United States District Court

By: 
LISA R. CLARK, Deputy Clerk to the
Honorable JAMES DONATO