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28United States District Court  
Northern District of CaliforniaUNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIAANTOINE WILLIAMS,  
Petitioner,  
v.  
,  
Respondent.Case No. [24-cv-02097-JD](#)**ORDER FOR RESPONDENT TO  
SHOW CAUSE**

Re: Dkt. No. 5

Antoine Williams, a state 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).

**BACKGROUND**

A jury found petitioner guilty of aggravated sex trafficking of a minor and other related crimes. *People v. Johnson*, No. H084722, 2022 WL 17986210, at \*1 (Cal. Ct. App. Dec. 29, 2022). Petitioner was sentenced to a prison term of 15 years to life. *Id.* The California Court of Appeal remanded for resentencing, but otherwise affirmed the conviction. *Id.* at 51. The California Supreme Court denied review. Petition at 3. [Doc: e](#)

**DISCUSSION****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

1 requirements. *McFarland v. Scott*, 512 U.S. 849, 856 (1994). An application for a federal writ of  
2 habeas corpus filed by a prisoner who is in state custody pursuant to a judgment of a state court  
3 must “specify all the grounds for relief available to the petitioner ... [and] state the facts supporting  
4 each ground.” Rule 2(c) of the Rules Governing § 2254 Cases, 28 U.S.C. § 2254. “[N]otice’  
5 pleading is not sufficient, for the petition is expected to state facts that point to a ‘real possibility  
6 of constitutional error.’” Rule 4 Advisory Committee Notes (quoting *Aubut v. Maine*, 431 F.2d  
7 688, 689 (1st Cir. 1970)).

8 **LEGAL CLAIMS**

9 As grounds for federal habeas relief, petitioner asserts that: (1) trial counsel was ineffective  
10 for failing to object to expert testimony that violated the California Racial Justice Act; (2) there  
11 was insufficient evidence of coercion with respect to the charge of human trafficking; and (3) the  
12 trial court erred in failing to instruct the jury about his good faith mistaken belief that the victim  
13 was 18 years-old. Liberally construed, these claims are sufficient to require a response.

14 **CONCLUSION**

- 15 1. The motion to proceed in forma pauperis (Dkt. No. 5) is granted. The Clerk shall  
16 substitute Warden Edward Borla as respondent because he is petitioner’s current custodian.
- 17 2. The Clerk shall serve by electronic mail a copy of this order on the Attorney  
18 General of the State of California at SFAWTParalegals@doj.ca.gov. The Clerk also shall serve a  
19 copy of this order on petitioner by regular mail. Respondent can view the petition on the  
20 electronic docket (Dkt. No. 4).
- 21 3. Respondent shall file with the Court and serve on petitioner, within fifty-six (56)  
22 days of the issuance of this order, an answer conforming in all respects to Rule 5 of the Rules  
23 Governing Section 2254 Cases, showing cause why a writ of habeas corpus should not be granted.  
24 Respondent shall file with the answer and serve on petitioner a copy of all portions of the state  
25 trial record that have been transcribed previously and that are relevant to a determination of the  
26 issues presented by the petition.
- 27 If petitioner wishes to respond to the answer, he shall do so by filing a traverse with the  
28 Court and serving it on respondent within twenty-eight (28) days of his receipt of the answer.

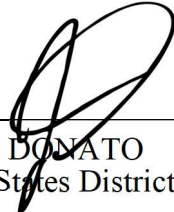
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4. Respondent may file a motion to dismiss on procedural grounds in lieu of an answer, as set forth in the Advisory Committee Notes to Rule 4 of the Rules Governing Section 2254 Cases. If respondent files such a motion, it is due fifty-six (56) days from the date this order is entered. If a motion is filed, petitioner shall file with the Court and serve on respondent an opposition or statement of non-opposition within twenty-eight (28) days of receipt of the motion, and respondent shall file with the Court and serve on petitioner a reply within fourteen (14) days of receipt of any opposition.

5. Petitioner is reminded that all communications with the Court must be served on respondent by mailing a true copy of the document to respondent’s counsel. Petitioner must keep the Court informed of any change of address and must comply with the Court’s orders in a timely fashion. Failure to do so may result in the dismissal of this action for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). *See Martinez v. Johnson*, 104 F.3d 769, 772 (5th Cir. 1997) (Rule 41(b) applicable in habeas cases).

**IT IS SO ORDERED.**

Dated: May 8, 2024

  
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JAMES DONATO  
United States District Judge