A writ of habeas corpus acts upon the custodian of the state prisoner. See 28 U.S.C. § 2242; Rule 2(a), 28 U.S.C. foll. § 2254. Because Petitioner's place of custody has changed, so has his custodian. Accordingly, in order to conform with the requirements of Rule 2(a) of the Rules Governing § 2254 Cases and to avoid changing the Respondent again if Petitioner is transferred to another prison or paroled, the Court

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hereby sua sponte **ORDERS** the substitution of Scott Kernan, Secretary of the California Department of Corrections and Rehabilitation, as Respondent in place of "Kelly Santoro." *See Ortiz-Sandoval v. Gomez*, 81 F.3d 891, 894 (9th Cir. 1996) (stating that the respondent in § 2254 proceedings may be the chief officer in charge of state penal institutions).

The Clerk of the Court will modify the docket to reflect "Scott Kernan, Secretary" as respondent in place of "Kelly Santoro."

IT IS SO ORDERED.

Dated: 11-1-2016

Peter C. Lewis

United States Magistrate Judge