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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

CEDRIC E. WALKER,  
  
Petitioner,  
  
v.  
  
SCOTT KERNAN, Secretary,  
  
Respondent.

Case No.: 16-2430 LAB (BLM)

**ORDER SUA SPONTE  
SUBSTITUTING RESPONDENT**

Petitioner, a state prisoner proceeding pro se, had filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254. On October 17, 2016, Petitioner submitted a document entitled “Notice to Court of Correct Address.” (ECF No. 8.) Petitioner advises the Court is currently housed at California State Prison, Solano.


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. 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 hereby sua sponte **ORDERS** the substitution of Scott Kernan, Secretary of the California Department of Corrections and Rehabilitation, as Respondent in place of “Eric Arnold.” See *Ortiz-Sandoval v. Gomez*, 81 F.3d 891, 894 (9th Cir. 1996) (stating that the

1 respondent in § 2254 proceedings may be the chief officer in charge of state penal  
2 institutions).

3           The Clerk of the Court will modify the docket to reflect “Scott Kernan, Secretary”  
4 as respondent in place of “Eric Arnold.”

5           **IT IS SO ORDERED.**

6 Dated: 11/6/2017

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8 Hon. Barbara L. Major  
9 United States Magistrate Judge  
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