

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION**

JUAN RAMON OCHOA,

Petitioner,

v.

TRACY JOHNS, Warden; DHS/ICE San Diego, CA, Field Office Director; and ATTORNEY GENERAL OF THE UNITED STATES,¹

Respondents.

CIVIL ACTION NO.: 5:17-cv-31

ORDER

Petitioner, an inmate at D. Ray James Correctional Institution in Folkston, Georgia, has filed an action under 28 U.S.C. § 2241. The record reflects that Petitioner has paid the \$5.00 filing fee.

The United States Marshal is hereby directed to serve a copy of the Petition and a copy of this Order by registered or certified mail upon: (1) the Attorney General of the United States; (2) the named Respondent; and (3) the civil process clerk at the office of the United States Attorney for the Southern District of Georgia. See Fed. R. Civ. P. 4(i).

Respondent is hereby ordered to show cause, in writing, why the Petitioner's writ should not be granted by filing a return and response with the Clerk of Court, Post Office Box 1636, Brunswick, Georgia, 31521, **within twenty-one (21) days** of the date of service.

¹ The Filed Office Director of DHS/ICE in San Diego, CA and the Attorney General of the United States are not proper parties in Petitioner's action. The only proper respondent in a Section 2241 action is the inmate's immediate custodian—the warden of the facility where the inmate is confined. See Rumsfeld v. Padilla, 542 U.S. 426, 434–35 (2004). Accordingly, the Clerk is **AUTHORIZED** and **DIRECTED** to terminate all Respondents except Warden Tracy Johns upon the docket and record of this case.

While this action is pending, Petitioner **shall immediately** inform this Court in writing of any change of address. Failure to do so will result in dismissal of this case.

SO ORDERED, this 29th day of March, 2017.

A handwritten signature in blue ink, appearing to read "R. Stan Baker". The signature is stylized and cursive.

R. STAN BAKER
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA