IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

FREDERICK BANKS, #05711-068   PETITIONER

VERSUS   CIVIL ACTION NO. 5:09cv65-DCB-MTP

BRUCE PEARSON, Warden   RESPONDENT

ORDER

This matter is before the court, sua sponte, to review the petition [1] and response [5] filed

by petitioner.   The petitioner filed the instant habeas action pursuant to 28 U.S.C. § 2241 on

April 21, 2009. The court finds that the proper respondent is petitioner's custodian, Bruce

Pearson, Warden of the Federal Correctional Complex, Yazoo City, Mississippi. *See United*

States v. Gabor, 905 F.2d 76, 78 (5th Cir. 1990).   Therefore, the remaining respondents will be

dismissed. Having reviewed the petition [1] and response [5], it is hereby,

ORDERED AND ADJUDGED:

1. That respondents M. Hunt, Barack Obama, Harley Lappin, Federal Bureau of Prisons,

Eric Holder, and Sandra Luton are dismissed.

2.   That the respondent, Warden Bruce Pearson, file an answer in this cause within 20 days

of the service of a copy of this order.

3. That the United States District Clerk is hereby directed to issue summons to **Bruce**

Pearson, Warden, FCI - Yazoo City, P.O. Box 5050, Yazoo City, Mississippi 39194.

4. That the clerk of this court shall serve, *by certified mail*, a copy of the summons,

petition [1], order [3] entered August 3, 2009, a copy of the response [5] filed August 17, 2009,

and a copy of this order upon **Civil Process Clerk**, Office of the United States Attorney for the

Southern District of Mississippi, 188 E. Capitol St., Suite 500, Jackson, Mississippi 39201;

Attorney General of the United States, at 10th Street & Constitution Avenue, Washington,

D.C. 20530; and **Bruce Pearson,** Warden, FCI - Yazoo, P.O. Box 5050, Yazoo City, Mississippi

39194.

5. That the clerk of this court shall also serve a copy of this order upon **petitioner** by

mailing same to petitioner's last known address.

SO ORDERED, this the ___27th___ day of August, 2009.

s/David Bramlette
UNITED STATES DISTRICT JUDGE