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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

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9 KEVIN DONALD POPE, Case No. 2:17-cv-00664-APG-GWF

10 v. Petitioner,

ORDER

11 FEDERAL BUREAU OF PRISONS, et al.,

12 Respondents.

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14 On April 19, 2017, this court dismissed habeas petitioner Kevin Donald Pope's
15 petition with leave to amend to add the proper respondent within fifteen (15) days of the
16 date of the order (ECF No. 4). The proper respondent in this action is Pope's custodian,
17 who in this case appears to be the warden or director of Community Corrections Center
18 in Las Vegas, Nevada. See *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989)
19 (holding that § 2241 petitioner's "true custodian" was the warden of the federal facility
20 where he was incarcerated). Pope was expressly advised that failure to file an
21 amended petition in conformance with that order would result in the dismissal of this
22 action for lack of personal jurisdiction.

23 More than the allotted time has passed, and Pope has failed to file an amended
24 petition or respond to this court's order in any way. Accordingly, the petition shall be
25 dismissed.

26 **IT IS THEREFORE ORDERED** that this habeas action is **DISMISSED** for lack of
27 personal jurisdiction.

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IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**, as jurists of reason would not find the court's dismissal of this action to be debatable or incorrect.

IT IS FURTHER ORDERED that the Clerk shall enter judgment accordingly and close this case.

DATED: 30 May 2017.


ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE