

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

CARLOS LEVY,)
)
Petitioner,)
)
v.) No.1:10-00005
) JUDGE HAYNES
)
DAVID MILLS, Warden,)
)
Respondent.)

8:10 PM
Mr. Nathan
GRANTED
Will [signature]
2-18-11

MOTION TO SUBSTITUTE PARTY

Pursuant to Fed.R.Civ.P. 25(d)(1), Petitioner Carlos Levy respectfully requests that this Court enter an order substituting David R. Osborne for David Mills as Respondent. In support thereof, Mr. Levy shows:

1. In this habeas corpus proceeding, the proper Respondent is the current Warden of the prison where the State confines Mr. Levy, the Morgan County Correctional Complex (MCCX), 541 Wayne Cotton Morgan Drive, Wartburg, Tennessee 37887.
2. As of the date of this motion, the Tennessee Department of Correction Web Site identifies David R. Osborne as the current Warden of the MCCX.

WHEREFORE, Petitioner Carlos Levy respectfully requests that this Court:

1. Enter an order substituting David R. Osborne for David Mills as Respondent; and
2. Grant such other relief as this Court deems just.