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8	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON	
9	AT TACOMA	
10	TAYLOR TOM CONLEY,	
11	Petitioner,	CASE NO. C12-5974 RJB-JRC
12	v.	ORDER TO AMEND THE PETITION TO CHANGE THE CASE CAPTION
13	STATE OF WASHINGTON,	
14	Respondent.	
15	The District Court has referred this petition for a writ of habeas corpus to United States	
16	Magistrate Judge, J. Richard Creatura. The authority for the referral is 28 U.S.C. § 636(b)(1)(A)	
17	and (B), and local Magistrate Judge Rules MJR3 and MJR4. Petitioner seeks relief from a state	
18	conviction. The petition is filed pursuant to 28 U.S.C. § 2254.	
19	Petitioner has named only the State of Washington as respondent. Petitioner needs to	
20	name a natural person not a governmental entity. The proper respondent is the person having	
21	custody of petitioner. See 28 U.S.C. § 2242. This person is usually the superintendent of the	
22	facility in which petitioner is incarcerated. Petitioner's failure to name the correct party deprives	
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this Court of personal jurisdiction. *See Stanley v. California Supreme Court*, 21 F.3d 359, 360
 (9th Cir. 1994).

Petitioner is ordered to file a motion asking the Court to change the case caption and
name a proper respondent. Petitioner needs to identify the superintendent by name in his motion.
Petitioner's motion must be filed on or before December 28, 2012.

Dated this 30<sup>th</sup> day of November, 2012.

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J. Richard Creatura United States Magistrate Judge