

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JOHN GREYSTOKE,

Petitioner,

V.

## CLALLAM COUNTY CORRECTIONS FACILITY,

## Respondent.

CASE NO. 3:17-cv-05529-RBL-JRC

**ORDER TO FILE PETITION ON  
PROPER FORM**

Petitioner John Greystoke, proceeding *pro se*, filed this habeas petition pursuant to 28 U.S.C. § 2254. Petitioner claims various harms, including alleged abysmal living conditions and mistreatment by medical staff as well as a request to be remanded to Western State Hospital instead of jail. However, he has not filed his petition in the form required by § 2254 actions and has followed up his petition with a series of miscellaneous and illegible letters and requests. Therefore, the Court orders petitioner to refile his habeas petition on the form provided by the Clerk and to cease mailing materials to the Court other than his rewritten petition or a motion to proceed *in forma pauperis*.

## BACKGROUND

Petitioner, proceeding *pro se*, filed this petition and a motion for leave to proceed *in forma pauperis* on July 10, 2017. Dkt. 1. On August 1, 2017, petitioner wrote a letter seeming to ask that his claims be withdrawn. Dkt. 4. In response, the Court ordered petitioner to file an amended petition redacting the claims he wished to drop, or, if petitioner desired that his full petition be withdrawn, to file nothing and allow the Court to dismiss it without prejudice. Dkt. 5. Petitioner then filed several demands for a jury trial (Dkts. 6, 10, 11) as well as numerous other letters and requests. The Court has not yet granted petitioner's motion to proceed *in forma pauperis*.

## DISCUSSION

Petitioner is clearly attempting to acquire some legal remedy with his filings. However, none of petitioner's filings are in the form required by Rule 2(c) of the Rules Governing Habeas Corpus Cases Under Section 2254. Further, petitioner has filed so many letters, requests, and statements that the Court can no longer discern what claims petitioner is attempting to allege or what remedy the Court may be able to provide.

Therefore, it is ORDERED:

Petitioner is instructed to file a new petition for a writ of habeas corpus on the form provided by the Court. Petitioner must file the new petition **on or before October 27, 2017** or the undersigned magistrate judge will recommend that both petitioner's motion to proceed *in forma pauperis*, as well as his habeas petition be denied.

Because petitioner has been filing innumerable illegible statements with the Court, petitioner shall not file any additional documents with the Court except the new proposed petition for a writ of habeas corpus. At that time, the Court may direct service in this case.

**In the interim, or until further order of the Court, the Clerk is directed to return any documents, other than petitioner's proposed petition, to petitioner.**

The Clerk is directed to provide petitioner with the forms for filing a petition for habeas corpus relief pursuant to 28 U.S.C. § 2254. The Clerk is further directed to provide copies of this Order to petitioner.

Dated this 4th day of October, 2017.

J. K. Ward (signature)

J. Richard Creatura  
United States Magistrate Judge