

1 CRAIG H. MISSAKIAN (CABN 125202)  
United States Attorney  
2 PAMELA T. JOHANN (CABN 145558)  
Assistant United States Attorney  
3 Chief, Civil Division

4 450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102-3495  
5 Telephone: (415) 436-7200  
Fax: (415) 436-6748  
6 pamela.johann@usdoj.gov

7 Attorneys for Federal Respondents

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION  
11

12 RAUL DE LA TORRE, ) No. 25-cv-08998-JSC  
13 )  
Petitioner ) **STATUS UPDATE**  
14 )  
v. )  
15 )  
TODD M. LYONS, et al., )  
16 )  
Respondents )  
17 )

18 In its Order granting Temporary Restraining Order, Dkt. No. 10, entered on October 20, 2025,  
19 the Court directed Respondents to provide a status update within two days of the date of the Order  
20 confirming Petitioner's release from detention.

21 Pursuant to that Order, Respondents confirm that Petitioner was released from the Golden State  
22 Annex in McFarland, California, the evening of October 20, 2025.

23 As noted in Respondents' response, Dkt. No. 11, Petitioner's petition and the supporting  
24 declarations<sup>1</sup> establish that this Court lacks jurisdiction over the habeas petition because Petitioner was  
25 not detained in this District at the time the petition was filed (and indeed was not arrested in this  
26 District), and the petition did not name Petitioner's custodian. *Doe v. Garland*, 109 F.4th 1188 (9th Cir.

27  
28 <sup>1</sup> Respondents were not served with the habeas petition or motion papers until 6:13 p.m. on  
October 20, 2025, over an hour after the Court entered its Order.

2024). Petitioner was detained on October 16, 2025 in Fresno, California, in the Eastern District of California. Dkt. No. 1 ¶ 36. Prior to his release, he was detained in the Golden State Annex in McFarland, California. See Dkt. No. 1-5 ¶ 10. McFarland is in Kern County, also in the Eastern District of California. See 28 U.S.C. § 84(b). The warden of Golden State Annex is not named as a custodian.

In *Doe*, the Ninth Circuit held that “[t]he district court’s exercise of jurisdiction was . . . improper because Doe was confined in the Eastern District of California, not the Northern District of California, where his petition was filed.” 109 F.4th at 1197. In addition, the *Doe* Court emphasized the “clear rule requiring core habeas petitioners challenging their present physical confinement to name their immediate custodian, the warden of the facility where they are detained, as the respondent to their petition.” *Id.* (citing *Rumsfeld v. Padilla*, 542 U.S. 426, 435 (2004)). Because the petitioner in *Doe* did not adhere to these requirements, the Ninth Circuit held that “the district court erred in exercising jurisdiction over Doe’s petition.” *Id.*, 109 F.4th at 1197.

This Court similarly lacks jurisdiction over the present petition because Petitioner failed to name his immediate custodian, and filed in this District despite being confined in the Eastern District of California. Accordingly, Respondents respectfully request that the Court vacate its Order granting the motion for temporary restraining order and dismiss the habeas petition, without prejudice to refile in the proper district and against the proper respondent. Alternatively, Respondents request that the Court issue an order to show cause why the Court’s order should not be vacated and the Petition should not be dismissed for lack of jurisdiction.

DATED: October 22, 2025

Respectfully submitted,

CRAIG H. MISSAKIAN  
United States Attorney

/s/ Pamela T. Johann  
PAMELA T. JOHANN  
Assistant United States Attorney

Attorneys for Respondents