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8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA

10 SAN FRANCISCO DIVISION

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.

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

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

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

20 DATED: October 22, 2025

Respectfully submitted,

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

25 Attorneys for Respondents