

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Josh Olivas v. State of Texas, et al.

No. 2:25-cv-3263 CKD P, United States District Court for the Eastern District of California (November 19, 2025)

SUMMARY

The court construed a pretrial detainee’s pleading challenging his confinement and pretrial proceedings as an application for a writ of habeas corpus under 28 U.S.C. § 2241. Because the petitioner was confined in Taylor County, Texas, and was neither convicted nor confined in California, the court transferred the matter to the United States District Court for the Northern District of Texas.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	November 19, 2025
DOCKET	2:25-cv-3263 CKD P
DISPOSITION	other
PROCEDURAL POSTURE	A pretrial detainee filed a pleading challenging his confinement and pretrial proceedings. The court construed the pleading as an application for a writ of habeas corpus and transferred the matter to the United States District Court for the Northern District of Texas.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Josh Olivas v. State of Texas, et al.

TOPICS

- federal habeas corpus
- venue
- subject matter jurisdiction
- civil procedure

PRACTICE AREAS

- federal habeas corpus
- civil procedure
- jurisdiction and venue

QUESTIONS PRESENTED

- Whether the pleading should be construed as an application for a writ of habeas corpus.

2. Whether the Eastern District of California was an appropriate federal forum for a state prisoner's habeas application when the petitioner was neither convicted in nor confined in California.
3. Whether the matter should be transferred to the federal district encompassing Taylor County, Texas.

HOLDINGS

1. A pleading by a state pretrial detainee that challenges the legality of custody and seeks release is properly construed as an application for a writ of habeas corpus.
2. The Eastern District of California was not an appropriate forum because petitioner was neither convicted in nor confined in California; the matter was properly transferred to the Northern District of Texas, the district encompassing his place of confinement.

KEY QUOTATIONS

“When a state prisoner challenges the legality of his custody and the relief he seeks is the determination of his entitlement to an earlier or immediate release, his sole federal remedy is a writ of habeas corpus.” (at 1)

FACTUAL BACKGROUND

Josh Olivas was a pretrial detainee confined in Taylor County, Texas. He appeared to challenge the legality of his confinement and pretrial proceedings, although the nature of his pleading was not entirely clear. He had not been convicted, and he was neither convicted in nor confined in California.

PROCEDURAL HISTORY

Petitioner, confined in Taylor County, Texas, filed the matter in the Eastern District of California. The court determined that petitioner was neither convicted in nor confined in California and transferred the action to the Northern District of Texas.

DISPOSITION

other

REMAND INSTRUCTIONS

The matter was transferred to the United States District Court for the Northern District of Texas.

CASES CITED

- Preiser v. Rodriguez, 411 U.S. 475, 500 (1973)

OPINION

Josh Olivas v. State of Texas, et al.

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 JOSH OLIVAS, No. 2:25-cv-3263 CKD P 12 Petitioner, 13 v. ORDER 14 STATE OF
TEXAS, et al., 15 Respondent. 16 17 Petitioner is a pretrial detainee in Taylor County, Texas.
While not entirely clear, it 18 appears he challenges his confinement and pretrial proceedings.
Therefore, the court construes 19 petitioner's pleading as an application for a writ of habeas
corpus.¹ Pursuant to 28 U.S.C § 20 2241(d), courts in both the district of conviction and the
district of confinement have concurrent 21 jurisdiction over applications for habeas corpus filed by
state prisoners. Petitioner was neither 22 convicted in, nor is confined in California. Since it does
not appear petitioner has been convicted, 23 the only appropriate forum for his petition is in Texas.
Taylor County, Texas lies within the 24 jurisdiction of the United State District Court for the
Northern District of Texas. 25 ///// 26 27 1 When a state prisoner challenges the legality of his
custody and the relief he seeks is the determination of his entitlement to an earlier or immediate
release, his sole federal remedy is a 28 writ of habeas corpus. Preiser v. Rodriguez, 411 U.S. 475,
500 (1973). 1 In accordance with the above, IT IS HEREBY ORDERED that this matter is
transferred to 2 || the United States District Court for the Northern District of Texas. 3 || Dated:
November 19, 2025 Cad Kt | (£4 (g—

5 UNITED STATES MAGISTRATE JUDGE

6]. 7 8] 1 9 oliv3263.21 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28