

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Raymond A. Treon v. Federal Bureau of Prisons

Treon · No. 1:25-cv-00279-HBK (HC) · Decided May 8, 2025

SUMMARY

The United States District Court for the Eastern District of California construed Raymond A. Treon's § 2241 habeas petition as a motion to amend an earlier-filed habeas petition challenging the same sentence. The court directed the Clerk to re-file the petition in the earlier case, deemed the respondent's motions moot, and closed the present case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Helena M. Barch-Kuchta
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	May 8, 2025
DOCKET	1:25-cv-00279-HBK (HC)
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner filed a second federal habeas petition under 28 U.S.C. § 2241 challenging the same sentence while an earlier habeas petition remained pending. The court construed the later petition as a motion to amend the earlier petition, directed the Clerk to refile it in the earlier case, deemed the respondent's motions moot, and closed this case.
PRECEDENTIAL VALUE	Unknown; district court order

TOPICS

- federal habeas corpus
- motion to amend
- successive petitions
- civil procedure

PRACTICE AREAS

- Federal habeas corpus
- Civil procedure

QUESTIONS PRESENTED

- Whether a pro se habeas petition filed while an earlier petition challenging the same sentence remains pending should be construed as a motion to amend the earlier petition.

2. Whether the later-filed habeas case should be closed after the petition is refiled as a motion to amend in the earlier case.

HOLDINGS

1. When a pro se petitioner files a habeas petition while an earlier petition challenging the same sentence remains pending, the later petition must be construed as a motion to amend the earlier petition under the circumstances presented here.
2. After construing the Petition as a motion to amend the earlier-filed petition, the court directed the Clerk to refile it in the earlier case, deemed the respondent's motions moot, and closed the separate case.

FACTUAL BACKGROUND

Raymond A. Treon, a federal prisoner proceeding pro se, filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court's records showed that Treon had already filed a federal habeas petition in the Eastern District of California challenging the same sentence, and that earlier petition was still pending. The court therefore treated the later filing as an amendment to the earlier petition rather than as a separate case.

PROCEDURAL HISTORY

Treon filed the petition on February 3, 2025, in the Eastern District of Missouri. The case was transferred to the Eastern District of California, where the court determined that Treon already had a pending federal habeas petition challenging the same sentence in case number 1:25-cv-00122-HBK. Relying on *Woods v. Carey*, the court construed the instant petition as a motion to amend the earlier petition, directed that it be refiled in that case, deemed the respondent's motions moot, and ordered this case closed.

DISPOSITION

other

CASES CITED

- *Woods v. Carey*, 525 F.3d 886, 889-90 (9th Cir. 2008)