

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Frederick Jones v. Jones

Jones · No. 1:25-cv-00908-EPG-HC · Decided August 18, 2025

SUMMARY

The United States Magistrate Judge recommends dismissing Frederick Jones’s amended petition for a writ of habeas corpus because it seeks correction of the spelling of his name rather than relief concerning the fact or duration of his confinement. The court also directs the clerk to randomly assign a district judge and advises that objections may be filed within 30 days.

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	August 18, 2025
DOCKET	1:25-cv-00908-EPG-HC
DISPOSITION	dismissed
PROCEDURAL POSTURE	Findings and recommendation by a magistrate judge recommending dismissal of a state prisoner's amended petition for writ of habeas corpus at the preliminary screening stage.
STANDARD OF REVIEW	Under Rule 4 of the Rules Governing Section 2254 Cases, the court may dismiss a habeas petition at preliminary review when it plainly appears from the petition and attached exhibits that the petitioner is not entitled to relief.
PRECEDENTIAL VALUE	Unknown
PARTIES	Frederick Jones v. Jones

TOPICS

- federal habeas corpus
- post-conviction relief
- pleadings
- civil procedure
- remedies

PRACTICE AREAS

- Federal habeas corpus
- Post-conviction relief
- Civil procedure

QUESTIONS PRESENTED

1. Whether a state prisoner's petition seeking correction of the spelling of his name, without challenging the conviction, sentence, or fact or duration of confinement, is cognizable under federal habeas corpus.
2. Whether the amended petition should be dismissed at preliminary review under Rule 4 of the Rules Governing Section 2254 Cases.

HOLDINGS

1. A petition seeking correction of a prisoner's name, without challenging the underlying conviction or sentence or the fact or duration of confinement, is not cognizable in federal habeas corpus and is not the proper vehicle for the requested relief.
2. A habeas petition may be dismissed before the respondent is ordered to respond when it plainly appears from the petition and attached exhibits that the petitioner is not entitled to relief in the district court.

KEY QUOTATIONS

“A claim is cognizable in habeas when a prisoner challenges “the fact or duration of his confinement” and “seeks either immediate release from that confinement or the shortening of its duration.”” (at 1)

“However, as Petitioner does not challenge his underlying criminal conviction or sentence or the fact or duration of his confinement in the instant petition, a petition for writ of habeas corpus is not the proper vehicle for Petitioner’s claim and will not address the issue he seeks to remedy.” (at 1)

FACTUAL BACKGROUND

Frederick Jones, a state prisoner, filed a habeas petition and amended petition seeking correction of the spelling of his name from the spelling used by the California Department of Corrections and Rehabilitation. He did not challenge his criminal conviction, sentence, or the fact or duration of his confinement.

PROCEDURAL HISTORY

Petitioner initially filed a habeas petition in the District of Columbia on July 14, 2025, without stating grounds for relief but requesting orders concerning the spelling of his name. He filed an amended petition for name correction on July 16, 2025. The Eastern District of California magistrate judge recommended dismissal under Rule 4 and directed the clerk to randomly assign a district judge; objections were permitted within thirty days.

DISPOSITION

dismissed

CASES CITED

- Preiser v. Rodriguez, 411 U.S. 475, 489 (1973)
- Wilkerson v. Wheeler, 772 F.3d 834, 839 (9th Cir. 2014)
- Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)

