

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

**Michael Corey Slaughter v. Tammy L. Campbell, Warden, California
State Prison - Corcoran**

Slaughter · No. 1:05-cv-00922-KES · Decided December 22, 2025

OPINION

Stokes

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 MICHAEL COREY SLAUGHTER, Case No. 1:05-cv-00922-KES 12 Petitioner, DEATH
PENALTY CASE

13 v. ORDER GRANTING PETITIONER'S

UNOPPOSED MOTION TO

14 TAMMY L. CAMPBELL, Warden, SUBSTITUTE RESPONDENT

California State Prison - Corcoran, 15 (Doc. 198) Respondent. 16 17 18 19 On July 2, 2025,
petitioner Michael Corey Slaughter, through appointed counsel the 20 Office of the Federal
Defender for the Eastern District of California, moved to substitute 21 Danny Samuel, Warden of
the California Men's Colony - San Luis Obispo, as respondent in 22 this action in place of Tammy
L. Campbell, Warden of California State Prison - Corcoran. 23 Counsel for petitioner states that
counsel for respondent, Deputy Attorney General 24 Joseph Penney, has no objection to the
motion. 25 The Court has reviewed petitioner's motion and the record and the controlling law and
26 will grant substitution of Danny Samuel as named respondent, as discussed below. 27 A
petition for writ of habeas corpus by an applicant in custody under a state court judgment shall
name as respondent the state officer who has custody. 28 U.S.C. § 2242; Rules 1 Governing §
2254 Cases, Rule 2(a). A failure to name the proper respondent destroys 2 personal jurisdiction.
Stanley v. California Supreme Court, 21 F.3d 359, 360 (9th Cir. 1994). 3 The record reflects that
petitioner was incarcerated at San Quentin State Prison when 4 he initiated this proceeding; in
May of 2024, petitioner was transferred to California State 5 Prison - Corcoran; and in May of
2025, petitioner was transferred to the California Men's 6 Colony - San Luis Obispo. (Docs. 3,
187, 198.) 7 The Court takes notice that: (i) the California Men's Colony is located at Colony
Drive, 8 San Luis Obispo, Cal. 93409, (ii) the current warden of the California Men's Colony is
Danny 9 Samuel, and (iii) petitioner is currently incarcerated at the California Men's Colony.1 10
The Court's jurisdiction over this proceeding is unaffected by petitioner's transfer to 11 the

California Men's Colony. Petitioner claims that during state court proceedings resulting in 12 his conviction and sentence, he suffered violations of his constitutional rights. (Docs. 3, 82.) 13 The challenged judgment was rendered by the Stanislaus County Superior Court of the State 14 of California, which is located within the territorial jurisdiction of this Court. (Id.); 28 U.S.C. 15 §§ 84(b), 2241(a)(d), 2254(a); Local Rules for the Eastern District of California, Rule 191(f); 16 see also *Francis v. Rison*, 894 F.2d 353, 354 (9th Cir. 1990) (citing *Smith v. Campbell*, 450 17 F.2d 829, 834 (9th Cir.1971)) (“[J]urisdiction attaches on the initial filing for habeas corpus 18 relief, and it is not destroyed by a transfer of the petitioner and the accompanying custodial 19 change.”). 20 THEREFORE, the Court orders that: 21 1. Petitioner's motion to substitute the warden of the California Men's Colony - 22 San Luis Obispo, currently Danny Samuel, as respondent in place of Tammy L. 23 Campbell, Warden of California State Prison - Corcoran (Doc. 198), is 24 GRANTED. 25 2. The Clerk of the Court is directed to SUBSTITUTE the name of Danny Samuel, 26 Warden of the California Men's Colony – San Luis Obispo, for Warden Tammy 27 1 California Incarcerated Records & Information Search (CIRIS) - CDCR [re Michael Slaughter] (last visited December 8, 2025); Fed. R. Evid. 201. 1 L. Campbell, Warden of California State Prison - Corcoran, as named 2 respondent in this action. 3 4

5 [T IS SO ORDERED. _

6 Dated: _ December 19, 2025 4h

; UNITED STATES DISTRICT JUDGE

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