

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TENNESSEE, EASTERN DIVISION

Charles Michael Williams v. State of Tennessee

Williams v. State of Tennessee · No. 1:26-cv-01002-JDB-jay · Decided January 6, 2026

SUMMARY

The United States District Court for the Western District of Tennessee directs the Clerk to replace the State of Tennessee with Demetric Godfrey, the warden of the facility where the petitioner is confined, as the respondent in a 28 U.S.C. § 2254 habeas action. The Court orders the petitioner to pay the \$5.00 habeas filing fee or submit an in forma pauperis application and certified inmate trust account statement within 30 days.

CASE DETAILS

COURT	United States District Court for the Western District of Tennessee, Eastern Division
WRITING FOR THE COURT	J. Daniel Breen
JURISDICTION	United States District Court for the Western District of Tennessee, Eastern Division
DECIDED	January 6, 2026
DOCKET	1:26-cv-01002-JDB-jay
DISPOSITION	other
PROCEDURAL POSTURE	Pro se state prisoner filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254 without paying the habeas filing fee or submitting an in forma pauperis application and certified trust-fund account statement.
PRECEDENTIAL VALUE	Nonprecedential procedural order
PARTIES	Charles Michael Williams v. State of Tennessee

TOPICS

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

PRACTICE AREAS

- Federal habeas corpus
- Post-conviction procedure

QUESTIONS PRESENTED

1. Whether the proper respondent in a habeas petition challenging present physical confinement is the petitioner's immediate custodian rather than the State of Tennessee.
2. Whether a habeas petitioner who has not paid the filing fee must submit the required in forma pauperis application and certified inmate trust-fund account statement.

HOLDINGS

1. The proper respondent is the petitioner's immediate custodian, specifically the warden of the facility where the petitioner is confined; the Clerk was directed to terminate the State of Tennessee as respondent and add Warden Demetric Godfrey.
2. A habeas petitioner who has not paid the \$5.00 filing fee must either pay the fee or submit a properly completed in forma pauperis application demonstrating indigency together with a certified inmate trust-fund account statement for the preceding six months.

KEY QUOTATIONS

“in habeas challenges to present physical confinement . . . the default rule is that the proper respondent is the warden of the facility where the prisoner is being held” (at 1 n.1)

FACTUAL BACKGROUND

Charles Michael Williams is a Tennessee Department of Correction prisoner incarcerated at the Hardeman County Correctional Facility in Whiteville, Tennessee. He filed a pro se petition under 28 U.S.C. § 2254 naming the State of Tennessee as respondent. He did not pay the \$5.00 habeas filing fee or submit an in forma pauperis application with a certified inmate trust-fund account statement.

PROCEDURAL HISTORY

Williams filed a § 2254 petition in the Western District of Tennessee. The court determined that the \$5.00 habeas filing fee had not been paid and that the required in forma pauperis materials had not been submitted. The court directed the Clerk to substitute Warden Demetric Godfrey as respondent, mail Williams the required form, and ordered Williams to pay the fee or submit the required materials within thirty days.

DISPOSITION

other

CASES CITED

- Rumsfeld v. Padilla, 542 U.S. 426, 435 (2004)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TENNESSEE EASTERN DIVISION) CHARLES MICHAEL WILLIAMS,)) Petitioner,)) v.)

Case No. 1:26-cv-01002-JDB-jay) STATE OF TENNESSEE,)) Respondent.)) ORDER DIRECTING CLERK TO MODIFY THE DOCKET AND DIRECTING PETITIONER TO FILE IN FORMA PAUPERIS AFFDAVIT AND TRUST FUND ACCOUNT STATEMENT OR PAY HABEAS FILING FEE The Petitioner, Charles Michael Williams, Tennessee Department of Correction prisoner number 237328, who is incarcerated at the Hardeman County Correctional Facility (“HCCF”) in Whiteville, Tennessee, has filed a pro se petition under to 28 U.S.C. § 2254 (the “Petition”).¹ (Docket Entry 1.)

Petitioner has failed to pay the \$5.00 habeas filing fee required by 28 U.S.C. § 1914(a) or submit an application to proceed in forma pauperis (“IFP”) and a certified copy of his inmate trust fund account statement. Petitioner is ORDERED to either pay the \$5.00 habeas filing fee or submit a properly completed Application to Proceed in District Court Without Prepaying Fees or Costs (AO 240) demonstrating his indigency, along with a certified inmate trust fund account statement for the last 12 months. The proper respondent to a habeas petition is Petitioner’s custodian, Demetric Godfrey, the warden of HCCF.

See *Rumsfeld v. Padilla*, 542 U.S. 426, 435 (2004) (explaining that “in habeas challenges to present physical confinement... the default rule is that the proper respondent is the warden of the facility where the prisoner is being held”).

The Court DIRECTS the Clerk to terminate all references to the State of Tennessee as Respondent and to add Warden Godfrey as Respondent. six months, no later than thirty days from the date of this order.² The Clerk is DIRECTED to mail a copy of the prisoner Application to Proceed in District Court Without Prepaying Fees or Costs (AO 240) to Petitioner along with this order.

Williams is ORDERED to notify the Court immediately, in writing, of any change of address. If he fails to abide by this requirement or any other requirement of this order in a timely manner, the Court may, without further notice, impose appropriate sanctions, up to and including dismissal of this action for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

IT IS SO ORDERED this 6th day of January 2026. s/ J. DANIEL BREEN UNITED STATES DISTRICT JUDGE 2Petitioner is advised that, if his inmate trust account had a balance of at least \$25.00 on the date the Petition was filed, an application to proceed IFP will be denied. 2