

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Worth Malcolm Briggs, IV v. Nicole Morrisey O'Donnell et al.

Briggs · No. 3:25-cv-01825-SB · Decided May 26, 2026

SUMMARY

The United States District Court for the District of Oregon grants the State of Oregon’s motion to dismiss it from a habeas corpus action under 28 U.S.C. § 2241. The court holds that the petitioner’s immediate custodian, rather than the State, is the proper habeas respondent and that the court therefore lacks personal jurisdiction over the State.

CASE DETAILS

COURT	United States District Court for the District of Oregon
WRITING FOR THE COURT	Adrienne Nelson
JURISDICTION	United States District Court for the District of Oregon
DECIDED	May 26, 2026
DOCKET	3:25-cv-01825-SB
DISPOSITION	dismissed
PROCEDURAL POSTURE	The petitioner brought a 28 U.S.C. § 2241 habeas action, and the State of Oregon moved to dismiss for lack of jurisdiction. The court granted the motion and dismissed the State from the action.
STANDARD OF REVIEW	The court reviewed the motion to dismiss for lack of personal jurisdiction and applied the federal habeas proper-respondent rule.
PRECEDENTIAL VALUE	Unknown
PARTIES	Worth Malcolm Briggs, IV v. Nicole Morrisey O'Donnell, State of Oregon

TOPICS

- federal habeas corpus
- personal jurisdiction
- motions to dismiss
- civil procedure

PRACTICE AREAS

- federal habeas corpus
- civil procedure

QUESTIONS PRESENTED

1. Whether the State of Oregon was a proper respondent in Briggs's § 2241 habeas action when it was not his immediate custodian.
2. Whether the court had personal jurisdiction over the State of Oregon in the habeas proceeding.

HOLDINGS

1. A federal habeas petitioner generally must name the person having immediate custody over him, ordinarily the warden or official with day-to-day control over the facility; the State of Oregon was not a proper respondent because it did not have such control over Briggs.
2. Failure to name the proper habeas respondent deprives the federal court of personal jurisdiction over that respondent; because the State was not Briggs's immediate custodian, the court lacked personal jurisdiction over the State.

KEY QUOTATIONS

“An AIC seeking federal habeas relief must direct his habeas petition to his custodian—the person “having immediate custody of the party detained, with the power to produce the body of such party before the court or judge[.]”” (at 435)

“Because the federal habeas statute contemplates “only one proper respondent to a given [AIC]’s habeas petition[,] . . . the default rule is that the proper respondent is the warden of the facility where the [petitioner] is being held.”” (at 1152)

FACTUAL BACKGROUND

Briggs was an adult in custody and pretrial detainee held at the Multnomah County Detention Center. The facility was administered by Multnomah County Sheriff Nicole Morrissey O’Donnell, whom Briggs acknowledged was his immediate custodian and had the power to produce him before the court. Briggs also named the State of Oregon as a respondent, although the State did not exercise day-to-day control over him.

PROCEDURAL HISTORY

Briggs, a pretrial detainee at the Multnomah County Detention Center, filed an amended § 2241 petition alleging violations including due process violations. He named both the Multnomah County Sheriff, who was his immediate custodian, and the State of Oregon as respondents. The State moved to dismiss, and the court dismissed the State for lack of personal jurisdiction because it was not Briggs's immediate custodian.

DISPOSITION

dismissed

CASES CITED

- *Rumsfeld v. Padilla*, 542 U.S. 426, 435 (2004)
- *Rasmussen v. Garrett*, 489 F. Supp. 3d 1131, 1152 (D. Or. 2020)
- *Brittingham v. United States*, 982 F.2d 378, 379 (9th Cir. 1992) (per curiam)

- *Belgarde v. Montana*, 123 F.3d 1210, 1212 (9th Cir. 1997)
- *Stewart v. Oregon*, No. 3:21-cv-00782-HZ, 2021 WL 3024308, at *1 (D. Or. June 18, 2021)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON WORTH MALCOLM BRIGGS, IV, Case No. 3:25-cv-01825-SB Petitioner, ORDER v. NICOLE MORRISEY O'DONNELL et al., Respondents. NELSON, District Judge. Petitioner Worth Malcolm Briggs, IV (“Briggs”), an adult in custody (“AIC”) at the Multnomah County Detention Center (“MCDC”), filed this habeas corpus action pursuant to 28 U.S.C. § 2241 alleging, among other things, that he is in custody in violation of his right to due process.

(See Am. Pet. at 24-32, ECF No. 16.) Before the Court is the State of Oregon’s (the “State”) motion to dismiss for lack of jurisdiction (ECF No. 27). For the following reasons, the Court grants the motion and dismisses the State from this action. An AIC seeking federal habeas relief must direct his habeas petition to his custodian— the person “having immediate custody of the party detained, with the power to produce the body of such party before the court or judge[.]” *Rumsfeld v. Padilla*, 542 U.S. 426, 435 (2004) (simplified); see also 28 U.S.C. § 2242 (instructing that a habeas petitioner must name as respondent “the person who has custody over [him]”).

Because the federal habeas statute contemplates “only one proper respondent to a given [AIC]’s habeas petition[,],... the default rule is that the proper respondent is the warden of the facility where the [petitioner] is being held.” *Rasmussen v. Garrett*, 489 F. Supp. 3d 1131, 1152 (D. Or. 2020) (simplified); see also *Brittingham v. United States*, 982 F.2d 378, 379 (9th Cir.

1992) (per curiam) (explaining that the proper respondent generally is “the person having day-to-day control over the [AIC]... the only one who can produce the body of the petitioner”) (simplified). The failure to name the proper respondent “deprives federal courts of personal jurisdiction.” *Belgarde v. Montana*, 123 F.3d 1210, 1212 (9th Cir. 1997) (simplified).

Briggs presently is a pretrial detainee at MCDC, which is administered by the Multnomah County Sheriff, Nicole Morrisey O’Donnell (“O’Donnell”). (Am. Pet. at 4.) Although Briggs acknowledges that O’Donnell is his immediate custodian and “has the power to bring [him] before the Court so that the writ can be issued[.]” Briggs also names the State as a respondent to this action.

(Id.) The State, however, does not have “day-to-day” control of Briggs, and Briggs does not explain why the State is a proper respondent to this action.¹ See *Padilla*, 542 U.S. at 435. The Court therefore finds no reason to deviate from the default rule and concludes that the Court lacks jurisdiction over the State in this proceeding. See *Stewart v. Oregon*, No. 3:21-cv- 00782-HZ, 2021 WL 3024308, at *1 (D.

Or. June 18, 2021) (explaining that “[t]he State is not the proper Respondent because it is not Petitioner’s immediate custodian”); see also Rasmussen, 489 F. Supp. 3d at 1152 (concluding that the petitioners “properly have directed their habeas petitions to Respondent who, as the Sheriff of Washington County, administers the Washington 1 Briggs did not file a response to the State’s motion to dismiss.

County Jail and serves as [the] [p]etitioners’ immediate custodian” and declining to join the State as a necessary party). CONCLUSION For these reasons, the Court GRANTS the State’s Motion to Dismiss (ECF No. 27) and DISMISSES the State from this action. IT IS SO ORDERED. DATED this 26 day of May, 2026. [basrne Vpn Adrienne Nelson United States District Judge PAGE 3 - ORDER