

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Lance Ian Osband v. Jason Schultz

Osband · No. 2:97-cv-0152 KJM CSK · Decided April 23, 2025

SUMMARY

The United States District Court for the Eastern District of California granted petitioner Lance Ian Osband’s seventeenth motion for a sixty-day extension of time to file objections to findings and recommendations. The court also granted a request to seal a confidential declaration and directed the Clerk to substitute Acting Warden Jason Schultz as respondent.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Chi Soo Kim
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	April 23, 2025
DOCKET	2:97-cv-0152 KJM CSK
DISPOSITION	other
PROCEDURAL POSTURE	The court considered petitioner’s unopposed seventeenth motion for a thirty-day extension of time to file objections to findings and recommendations, a request to seal a confidential supporting declaration, and the need to substitute the current acting warden as respondent.
STANDARD OF REVIEW	Good-cause standard for an extension of time and for sealing the confidential declaration.
PRECEDENTIAL VALUE	Nonprecedential district court order
PARTIES	Lance Ian Osband v. Jason Schultz, Acting Warden

TOPICS

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

PRACTICE AREAS

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

QUESTIONS PRESENTED

1. Whether good cause supported extending the deadline for petitioner to file objections to the findings and recommendations.
2. Whether good cause supported sealing the confidential declaration submitted in support of the extension motion.
3. Whether the court should substitute the petitioner's current immediate custodian, Acting Warden Jason Schultz, as respondent.

HOLDINGS

1. Good cause existed to grant petitioner a sixty-day extension of time to file objections to the findings and recommendations.
2. The confidential declaration submitted in support of the extension motion should be filed under seal because good cause appeared.
3. Acting Warden Jason Schultz was properly substituted as respondent for former California State Prison-Sacramento Warden Jeff Lynch because the proper respondent in a federal habeas petition is the petitioner's immediate custodian.

FACTUAL BACKGROUND

Petitioner sought additional time to file objections to findings and recommendations in this federal habeas proceeding. Counsel cited a recent computer-hacking incident occurring after the extension motion was filed, and petitioner also submitted a confidential declaration in support of the request. Jason Schultz had become the acting warden at California State Prison-Sacramento, replacing former warden Jeff Lynch.

PROCEDURAL HISTORY

Petitioner filed a seventeenth motion seeking additional time to object to findings and recommendations filed September 8, 2023. After a remote status conference on April 22, 2025, the court granted a sixty-day extension, sealed the supporting confidential declaration, and substituted Acting Warden Jason Schultz for former warden Jeff Lynch as respondent.

DISPOSITION

other

CASES CITED

- *Brittingham v. United States*, 982 F.2d 378, 379 (9th Cir. 1992)