UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

KIRK DOUGLAS WILLIAMS, Petitioner, v. GENA JONES, Respondent.	Case No. 2:23-cv-1862-DC-JDP (P) ORDER

Petitioner filed an amended section 2254 petition, and, after finding that it did not state a cognizable claim, I granted him leave to amend. ECF No. 30. After plaintiff requested and received additional time to file the amended petition, mail sent to plaintiff was returned as undeliverable. ECF Nos. 31 & 33. I entered an order directing petitioner to show cause why this action should not be dismissed for failure to state a claim, failure to prosecute, and failure to comply with court orders. ECF No. 36. Then, without filing an amended petition, petitioner objected to my show cause order. ECF No. 37. Since then, he has filed a request for a ruling on those objections, ECF No. 40, a motion seeking my recusal, ECF No. 42, and a motion to substitute respondent, ECF No. 43. All of these motions are denied.

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Motion for Ruling

Petitioner's motion for ruling seeks a ruling from the district judge on his objections to my show cause order. ECF No. 40. This motion is denied as unnecessary. His objections are before the district judge, and a ruling on them will be forthcoming according to her schedule.

Motion for Recusal

Next, petitioner seeks my recusal, arguing that I have exhibited bias against him by way of adverse rulings. ECF No. 42 at 5-8. Adverse rulings are not grounds for recusal and petitioner has submitted no other, substantive evidence of bias. *See United States v. Studley*, 783 F.2d 934, 939 (9th Cir. 1986) ("[A] judge's prior adverse ruling is not sufficient cause for recusal."). This motion is, therefore, denied.

Motion to Substitute Respondent

The final pending motion seeks to substitute a new respondent. ECF No. 43. Petitioner may do so by filing an amended petition, as I directed him to do. Alternatively, if petitioner's objections are sustained, he may renew this motion. The motion is denied without prejudice.

Conclusion

Accordingly, it is ORDERED that petitioner's filings, ECF Nos. 40, 42, & 43, are DENIED.

IT IS SO ORDERED.

Dated: January 20, 2026

JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE