

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. CV 21-05254-JAK (DFM)

Date: September 7, 2021

Title Immanuel Jose Mesa v. United States of America

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| Present: The Honorable | Douglas F. McCormick, United States Magistrate Judge | |
| Nancy Boehme | | Not Present |
| Deputy Clerk | | Court Reporter |
| Attorney(s) for Plaintiff(s): | | Attorney(s) for Defendant(s): |
| Not Present | | Not Present |
| Proceedings: | (IN CHAMBERS) Order to Show Cause re Current Address | |

On June 25, 2021, Petitioner filed a Petition for Writ of Habeas Corpus by a Person In Federal Custody pursuant to 28 U.S.C. § 2241. See Dkt. 1. On July 28, the Court issued an Order to Show Cause why the Petition should not be dismissed as improperly brought under § 2241 rather than § 2255. See Dkt. 4. The OSC was returned to the Court as undeliverable. See Dkt. 5.

Local Rule 41-6 requires that a party proceeding pro se “must keep the Court and all other parties informed of the party’s current address as well as any telephone number and email address.” Failure to do so can result in dismissal: “If a Court order or other mail served on a pro se plaintiff at his address of record is returned by the Postal Service as undeliverable and the pro se party has not filed a notice of change of address within 14 days of the service date of the order or other Court document, the Court may dismiss the action with or without prejudice for failure to prosecute.”

Accordingly, Plaintiff is ordered to provide a current address to the Court within fourteen (14) days of this order. Failure to do so will result in dismissal for failure to prosecute. Once Plaintiff has done so, he will be afforded an additional seven (7) days to respond to the July 28 OSC.