

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSE PARTIDA VARGAS,

Petitioner,

v.

NEIL H. ADLER, Warden,

Respondent.

1:08-CV-01592 MJS HC

ORDER TO SHOW CAUSE WHY THE
PETITION SHOULD NOT BE DISMISSED
FOR PETITIONER'S FAILURE TO
PROSECUTE

Petitioner is a prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

On April 15, 2010, the Court issued an order informing Petitioner that the instant case has been reassigned to Magistrate Judge Michael J. Seng. On April 28, 2010, the order served on Petitioner was returned by the U.S. Postal Service as undeliverable.

Pursuant to Local Rule 183(b), a party appearing in propria persona is required to keep the court apprised of his or her current address at all times. Local Rule 183(b) provides, in pertinent part:

If mail directed to a plaintiff in propria persona by the Clerk is returned by the U.S. Postal Service, and if such plaintiff fails to notify the Court and opposing parties within sixty-three (63) days thereafter

1 of a current address, the Court may dismiss the action without
2 prejudice for failure to prosecute.

3 Without the ability to communicate with Petitioner, the Court is unable to maintain and
4 faithfully adjudicate the present matter. Thus, Petitioner must inform the Court and any opposing
5 parties of his present address with sixty-three (63) days after the return of mail directed to Petitioner.

6 **ORDER**

7 Accordingly, Petitioner is ORDERED TO SHOW CAUSE why the petition should not be
8 dismissed without prejudice for Petitioner's failure to prosecute based on Petitioner's failure to
9 inform the Court of his current address. Petitioner is ORDERED to inform the Court and opposing
10 counsel of his current address on or before July 1, 2010.

11 Petitioner is forewarned that failure to follow this order will result in dismissal of the petition
12 without prejudice pursuant to Local Rules 110 and 183(b).

13 IT IS SO ORDERED.

14 **Dated: May 3, 2010**

15 **/s/ Michael J. Seng**
16 UNITED STATES MAGISTRATE JUDGE
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