UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

STEPHEN GARCIA, Petitioner, v. MUNICIPAL COURTHOUSE, Respondent.	1:10-CV-00866 AWI MJS HC ORDER TO SHOW CAUSE WHY THE PETITION SHOULD NOT BE DISMISSED FOR PETITIONER'S FAILURE TO INFORM COURT OF CURRENT ADDRESS

Petitioner is a prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

On June 15, 2010, the Court issued an order authorizing in forma pauperis status to Petitioner. On June 24, 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

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

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

ORDER

Accordingly, Petitioner is ORDERED TO SHOW CAUSE why the petition should not be dismissed without prejudice for Petitioner's failure to prosecute based on Petitioner's failure to inform the Court of his current address. Petitioner is ORDERED to inform the Court and any opposing counsel of his current address within **thirty (30)** days of service of this order.

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

IT IS SO ORDERED.

Dated: August 18, 2010

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE