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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

A.D. WEBB,

Petitioner,

v.

RANDY GROUNDS, Warden,

Respondent.

Case No. 1:11-cv-00331-AWI-BAM HC

FINDINGS AND RECOMMENDATIONS
RECOMMENDING THAT THE COURT
DISMISS THE PETITION FOR WRIT OF
HABEAS CORPUS AS MOOT

Petitioner is a state prisoner proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On September 15, 2015, the Court took judicial notice that the website of the California Department of Corrections and Rehabilitation no longer lists Petitioner as a CDCR inmate and directed the parties to file status reports on or before October 9, 2015.

On October 7, 2015, Respondent filed a status report in which he reported that Petitioner was released from the custody of the California Department of Corrections and Rehabilitation on October 13, 2014, and placed on probation for three years. Petitioner's whereabouts are currently unknown, and he is no longer under supervision. Respondent states that unless Petitioner demonstrates that he is subject to "concrete and continuing injury" (*Spencer v. Kemna*, 523 U.S. 1, 7 (1998)), the Court should dismiss the petition as moot.

Petitioner has not responded to the Court's order for status report in any way. He has not provided the Court with his change of address since his release from custody more than a year ago.

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Conclusion and Recommendation

The undersigned recommends that the Court dismiss the above-entitled petition for writ of habeas corpus as moot.

These Findings and Recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C § 636(b)(1). Within **thirty (30) days** after being served with these Findings and Recommendations, either party may file written objections with the Court. The document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." The parties are advised that failure to file objections within the specified time may constitute waiver of the right to appeal the District Court's order. *Wilkerson v. Wheeler*, 772 F.3d 834, 839 ((9th Cir. 2014) (citing *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991)).

IT IS SO ORDERED.

Dated: October 14, 2015

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE