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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARQUIMEDES MENDOZA,

Petitioner,

No. CIV S-09-1710 MCE DAD P

vs.

MATTHEW CATE,

ORDER TO SHOW CAUSE

Respondent.

\_\_\_\_\_ /

Petitioner is a state prisoner proceeding pro se with a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. In this federal habeas action, petitioner challenges a 2004 judgment of conviction entered against him in the San Joaquin County Superior Court on a charge of rape of an intoxicated person, in violation of California Penal Code § 261(a)(3). When petitioner filed this petition, he was in federal custody at the Federal Correctional Institution in Marianna, Florida.

In preparing to issue findings and recommendations with respect to the pending petition, the court has been advised that petitioner is no longer in the custody of the Federal Bureau of Prisons. The court has also independently verified that petitioner is not in the custody of the California Department of Corrections and Rehabilitation. Because petitioner is not in

1 custody, this action may be moot. See Lane v. Williams, 455 U.S. 624, 632 (1982) (generally, a  
2 petition for a writ of habeas corpus becomes moot upon prisoner's release from custody unless  
3 petitioner can demonstrate adverse collateral consequences from challenged sentence or  
4 conviction). Further, petitioner has not notified the court of his new address. Pursuant to the  
5 Local Rules of Court, it is the petitioner's responsibility to keep the court apprised of his current  
6 address at all times. See Local Rule 182(f).

7           Accordingly, IT IS HEREBY ORDERED that petitioner show cause, within thirty  
8 days from the date of this order, why this action should not be dismissed as moot and due to his  
9 failure to comply with Local Rule 182(f).

10 DATED: April 11, 2012.

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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

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