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

JOHN E. JAMES, III,
Plaintiff,

v.

B. ESSER,
Defendant.

No. C 07-6193 JSW (PR)

ORDER OF DISMISSAL

(Docket No. 33)

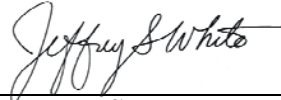
Plaintiff was a California prisoner when he filed this pro se civil rights complaint under 42 U.S.C. § 1983. Plaintiff was released on parole on January 31, 2011, but he has not informed the Court or the defendants of his new address. Defendant has filed a motion to dismiss for failure to prosecute, and Plaintiff has not opposed the motion. In orders dated October 3, 2008, November 8, 2010, and February 1, 2011, the Court cautioned Plaintiff that he must keep the Court informed of any change of address and that his failure to do so may result in the dismissal of this action. Moreover, Local Rule 3.11 requires Plaintiff to notify the Court of any change in his address, and that his failure to do so within sixty days of a change of address will result in the dismissal of the action. As Plaintiff has not provided the Court with a correct address within sixty days of the date he was paroled,

1 and both the defendant and the Court are consequently unable to reach him, Defendant's motion
2 to dismiss (docket number 33) is GRANTED and this case is DISMISSED without prejudice.

3 The Clerk shall enter judgment and close the file.

4 IT IS SO ORDERED.

5 DATED: May 25, 2011



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7 JEFFREY S. WHITE
United States District Judge

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1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
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5 JOHN E. JAMES III,
6 Plaintiff,
7

Case Number: CV07-06193 JSW

CERTIFICATE OF SERVICE

8 v.


9 MIKE S. EVANS et al,
10 Defendant.
_____ /

11 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
12 Court, Northern District of California.

13 That on May 25, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing
15 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery
16 receptacle located in the Clerk's office.

17 John E. James P-13474
18 P.O. Box 5104
19 Delano, CA 93216

20 Dated: May 25, 2011


21 Richard W. Wieking, Clerk
22 By: Jennifer Ottolini, Deputy Clerk
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