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5 UNITED STATES DISTRICT COURT  
6 NORTHERN DISTRICT OF CALIFORNIA  
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8 EDWIN JOHN TORRES,  
9 Plaintiff,

No. C 08-1114 MHP (pr)

**ORDER OF DISMISSAL**

10 v.

11 ALAMEDA COUNTY,  
12 Defendant.  
13 \_\_\_\_\_/

14 On September 23, 2008, mail was sent to plaintiff at the county jail address he  
15 provided to the court and was returned undelivered on September 29, 2008, marked as "not  
16 in custody." More than sixty days have passed since the mail was returned to the court  
17 undelivered. Plaintiff has failed to comply with Local Rule 3-11(a) which requires that a  
18 party proceeding pro se must "promptly file with the Court and serve upon all opposing  
19 parties a Notice of Change of Address specifying the new address" when his address  
20 changes. Local Rule 3-11(b) allows the court to dismiss a complaint without prejudice when  
21 mail directed to a pro se party is returned as not deliverable and the pro se party fails to send  
22 a current address within sixty days of the return of the undelivered mail. This action is  
23 dismissed without prejudice because plaintiff failed to keep the court informed of his address  
24 in compliance with Local Rule 3-11(a).

25 IT IS SO ORDERED.

26 Dated: April 15, 2010

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Marilyn Hall Patel  
United States District Judge  
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