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

JOSE R. ALVAREZ,)	
)	
Plaintiff(s),)	No. C 09-0023 CRB (PR)
)	
vs.)	ORDER OF DISMISSAL
)	
MIKE KANALAKIS,)	(Doc # 2)
)	
Defendant(s).)	
_____)	

On January 15, 2009, the post office returned the court's mail to plaintiff as undeliverable. Because more than 60 days have passed since the court's mail to plaintiff was returned as undeliverable, and the court has received no written communication from plaintiff indicating a current address, the case is DISMISSED without prejudice pursuant to Local Rule 3-11(b).

Based solely on plaintiff's affidavit of poverty, his request for leave to proceed in forma pauperis (doc # 2) is granted.

The clerk shall enter judgment in accordance with this order, close the file and terminate all pending motions as moot.

SO ORDERED.

DATED: 03/20/09



 CHARLES R. BREYER
 United States District Judge