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

CLENARD CEBRON WADE,  
  
Petitioner,  
  
v.  
  
FRED FOULK, Warden,  
  
Respondent.

No. C-13-4636 TEH (PR)  
  
ORDER FOR PETITIONER TO CLARIFY  
HIS CURRENT ADDRESS AND TO FILE  
CERTIFICATE OF FUNDS IN TRUST  
ACCOUNT STATEMENT OR PAY FILING  
FEE

United States District Court  
For the Northern District of California

On October 5, 2012, Petitioner Clenard Cebron Wade, an inmate incarcerated at the High Desert State Prison (HDSP) in Susanville, California, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 challenging a judgment of conviction from Contra Costa County Superior Court. Doc. #1. On the same day, Petitioner filed an application for leave to proceed in forma pauperis (IFP). Doc. #2. On October 18, 2013, the mail that the Court sent to Petitioner at his address at HDSP was returned as undeliverable. Doc. #3.

The Court notes that the address on the petition is, "Clenard Cebron Wade, AA7245, High Desert State Prison, . . . ," but that the return address on Petitioner's envelop is, "Clenard Cebron Wade, AA7245/A2-137, High Desert State Prison, . . ." The Court addressed its mail to the address on the petition, not the return address on the envelop. Doc. #1, Attachment 1. It is possible that

1 Petitioner's mail was returned as undeliverable because the Court  
2 did not include Petitioner's full address on its mail to Petitioner.  
3 Therefore, the Clerk of the Court is directed to send this Order and  
4 re-send the mail it originally sent to Petitioner using the return  
5 address on Petitioner's envelop. Petitioner must file a notice of  
6 his current address with the Court, so that the Court may enter his  
7 complete address on the case docket. See Civil L.R. 3-11 (party  
8 proceeding pro se must promptly file with the Court a notice of  
9 change of address specifying a new address; failure to do so may  
10 result in dismissal of the action without prejudice when the Court  
11 fails to receive within sixty days a written communication  
12 indicating a current address).

13 Furthermore, the Court notes that Petitioner's IFP  
14 application is incomplete because he did not include a copy of a  
15 certificate of funds in trust account statement (COF) signed by an  
16 authorized prison official. Petitioner must either file the  
17 required COF or pay the \$5.00 filing fee within twenty-eight days  
18 from the date of this Order.

#### 19 CONCLUSION

20 For the foregoing reasons, the Court orders as follows:

21 1. The Clerk of the Court shall send this order and re-  
22 send the mail it originally sent to Petitioner at the return address  
23 on the envelop of his mail to the Court.

24 2. Within twenty-eight days from the date of this Order,  
25 Petitioner must either file the required COF or pay the \$5.00 filing  
26 fee.

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3. Also, within twenty-eight days from the date of this Order, Petitioner must file a notice indicating his complete mailing address.

IT IS SO ORDERED.

DATED 10/24/2013



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THELTON E. HENDERSON  
United States District Judge

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