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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIAJAVIER RYAN GARCIA,
Plaintiff,
v.
PEARCE, et al.,
Defendants.

Case No. 16-cv-01849-MEJ (PR)

ORDER OF DISMISSAL

Plaintiff Javier Ryan Garcia filed the instant pro se civil rights action pursuant to 42 U.S.C. § 1983, while an inmate at the Mendocino County Jail. On July 19, 2016, the court granted plaintiff's motion to proceed in forma pauperis, and issued an order of service. The court mailed copies of both orders to plaintiff. On August 15, 2016, the orders were returned as undeliverable.

As of the date of this order, plaintiff has not updated his address with the court or submitted any further pleadings in this case. Pursuant to Northern District Civil Local Rule 3-11, a party proceeding pro se whose address changes while an action is pending must promptly file a notice of change of address specifying the new address. See Civil L.R. 3-11(a). The court may, without prejudice, dismiss a complaint when: (1) mail directed to the pro se party by the court has been returned to the court as not deliverable, and (2) the court fails to receive within sixty days of this return a written communication from the pro se party indicating a current address. See Civil L.R. 3-11(b). More than sixty days have now passed since the mail sent to plaintiff by the court was returned as undeliverable. The court has not received a notice from plaintiff of a new address.

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Accordingly, the instant complaint is DISMISSED without prejudice. The clerk of the court shall enter judgment and close the file.

IT IS SO ORDERED.

Dated: October 17, 2016



MARIA-ELENA JAMES
United States Magistrate Judge