

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

CHRISTY TAN,

No. C 09-03905 SBA (PR)

Petitioner,

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

v.

PAUL COPENHAVER, Warden, et al.,

Respondents.

Petitioner, a state prisoner, filed the present petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On March 17, 2010, mail directed to Petitioner by the Court was returned to the Clerk of the Court with a notation that it was undeliverable. On March 29, 2010, mail directed to Petitioner by the Court was again returned as undeliverable. To date, Petitioner has not updated her address with the Court or submitted any further pleadings in this case.

Pursuant to Northern District 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 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 L.R. 3-11(b).

More than sixty days have passed since the two documents directed to Petitioner by the Court were returned as undeliverable. The Court has not received a notice from Petitioner of a new address. Accordingly, the petition is DISMISSED without prejudice pursuant to Rule 3-11 of the Northern District Local Rules. The Clerk of the Court shall terminate all pending motions and close

1 the file. The Court has rendered its final decision on this matter; therefore, this Order
2 TERMINATES Petitioner's case.

3 IT IS SO ORDERED.

4 DATED: 6/21/10


SAUNDRA BROWN ARMSTRONG
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 CHRISTY TAN,

5 Plaintiff,

6 v.

7 PAUL COPENHAVER et al,

8 Defendant.

Case Number: CV09-03905 SBA

CERTIFICATE OF SERVICE

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

11 That on June 22, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
14 located in the Clerk's office.

15 Christy Tan 16623-097
16 Federal Prison Camp Dublin
17 5675 8th Street
Camp Parks
Dublin, CA 94568

18 Dated: June 22, 2010

19 Richard W. Wieking, Clerk
20 By: LISA R CLARK, Deputy Clerk
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