

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

RONNIE HODGE,

No. C 10-04296 SBA (PR)

Petitioner,

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

v.

VINCENT S. CULLEN, Warden,

Respondent.

Petitioner, a state prisoner, filed the present petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On December 15, 2010, mail directed to Petitioner by the Court was returned to the Clerk of the Court with a notation that it was undeliverable. To date, Petitioner has not updated his 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 mail directed to Petitioner by the Court was 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 the file. The Court has rendered its final decision on this matter; therefore, this Order TERMINATES Petitioner's case.

IT IS SO ORDERED.

DATED: 3/1/11


SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT JUDGE

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

5 RONNIE HODGE,

6 Plaintiff,

7 v.

8 VICENT S CULLEN et al,

9 Defendant.

Case Number: CV10-04296 SBA

CERTIFICATE OF SERVICE

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

13 That on March 3, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said
14 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing
15 said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery
16 receptacle located in the Clerk's office.

17 Ronnie Hodge V93913
18 California State Prison - San Quentin
19 San Quentin, CA 94974

20 Dated: March 3, 2011

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