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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

YEVGENY DUBINSKY,

Plaintiff(s),

v.

TD SERVICE CO., et al.,

Defendants.

No. C 10-4841 PJH

ORDER DISMISSING CASE

Plaintiff Yevgeny Dubinsky filed the above-entitled action on October 26, 2010. A summons was issued as to the four defendants named in the complaint; however, no proof of service of the summons and complaint on any defendant was thereafter filed with the court.

On November 2, 2010, the court issued an order setting an initial case management conference for February 10, 2010. On November 9, 2010, the envelope containing the order was returned to the court as undeliverable. On February 10, 2011, the court held the scheduled initial case management conference. No one appeared.

Civil Local Rule 3-11 provides that an attorney or a party proceeding pro se whose address changes while an action is pending must promptly file with the court and serve upon all opposing parties a Notice of Change of Address specifying the new address. Civ. L.R. 3-11(a). Further, the court may dismiss the complaint, without prejudice, when mail directed to the attorney or pro se party by the court has been returned to the court as not deliverable, and the court does not receive within 60 days of this return a written

1 communication from the attorney or pro se party indicating a current address. Civ. L.R. 3-
2 11(b).

3 Plaintiff having failed to provide the court with a current address within 60 days of
4 the date the mail directed to him was returned as undeliverable, this action is hereby
5 DISMISSED.

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7 **IT IS SO ORDERED.**

8 Dated: February 11, 2011



9 PHYLLIS J. HAMILTON
10 United States District Judge

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