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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MARIO PALACIO,  
Plaintiff,  
v.  
MENDOCINO COUNTY SHERIFF'S  
OFFICE, et al.,  
Defendants.

Case No. [15-cv-00393-DMR](#) (PR)

**ORDER OF DISMISSAL WITHOUT  
PREJUDICE**

Plaintiff filed a *pro se* civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has consented to Magistrate Judge jurisdiction, and this matter has been assigned to the undersigned Magistrate Judge. Dkt. 1 at 4.

On May 7, 2015, mail directed to Plaintiff by the court was returned with the following notations: “NIC” or not in custody; “RTS” or return to sender; and “NOT DELIVERABLE AS ADDRESSED—UNABLE TO FORWARD.” To date, Plaintiff 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 dismiss without prejudice 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 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 complaint is DISMISSED without prejudice pursuant to Rule 3-11 of the Northern District Local Rules. The Clerk of the Court shall enter judgment, terminate all pending motions, and close the file.

IT IS SO ORDERED.

Dated: July 16, 2015



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DONNA M. RYU  
United States Magistrate Judge