

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3
4 In re MUHAMMAD-KHALIL IBN
5 ABDULLAH,

Case No. [16-cv-06819-YGR](#) (PR)

6 **ORDER OF DISMISSAL WITHOUT**
7 **PREJUDICE**

8
9 Petitioner filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On
10 December 19, 2016, mail directed to Petitioner by the Court was returned to the Clerk of the Court
11 with the following notation: "RETURN TO SENDER - Not in Custody." Dkt. 4. On January 23,
12 2017, another piece of mail directed to Petitioner by the Court was returned to the Clerk with the
13 same notation: "RETURN TO SENDER - Not in Custody." Dkt. 7. To date, Petitioner has not
14 updated his address with the Court or submitted any further pleadings in this case.

15 Pursuant to Northern District Local Rule 3-11 a party proceeding *pro se* whose address
16 changes while an action is pending must promptly file a notice of change of address specifying the
17 new address. *See* L.R. 3-11(a). The Court may dismiss without prejudice a complaint when:
18 (1) mail directed to the *pro se* party by the Court has been returned to the Court as not deliverable,
19 and (2) the Court fails to receive within sixty days of this return a written communication from the
20 *pro se* party indicating a current address. *See* L.R. 3-11(b).

21 More than sixty days have passed since the initial mail directed to Petitioner by the Court
22 was returned as undeliverable on December 19, 2016. The Court has not received a notice from
23 Petitioner of a new address. Accordingly, the petition is DISMISSED without prejudice pursuant
24 to Rule 3-11 of the Northern District Local Rules. The Clerk shall terminate all pending motions
25 and close the file.

26 IT IS SO ORDERED.

27 Dated: March 6, 2017

28 
YVONNE GONZALEZ ROGERS
United States District Court Judge