

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA

3  
4 WILLIAM THOMAS,  
5 Petitioner,

Case No. 17-cv-03439-HSG (PR)

6 v.

**ORDER OF DISMISSAL**

7 U.S. MARSHALS,  
8 Respondent.


9  
10 Petitioner filed a *pro se* petition for writ of habeas corpus while detained at the Alameda  
11 County Jail, and the Court is awaiting his application to proceed in forma pauperis. However,  
12 court mail that the Clerk sent to petitioner at his last known address has been returned as  
13 undeliverable. See dkt. nos. 5, 6.

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

22 Accordingly, the instant action is DISMISSED without prejudice. The Clerk of the court  
23 shall enter judgment and close the file.

24 **IT IS SO ORDERED.**

25 Dated: 10/18/2017

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28 HAYWOOD S. GILLIAM, JR.  
United States District Judge