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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JAMES WHEELAND,
Petitioner,

vs.

RANDY GROUNDS, Warden,
Respondent.

No. C 11-02310 EJD (PR)
ORDER OF DISMISSAL

Petitioner, a California inmate, filed a petition in pro se for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging the denial of parole. On September 22, 2011, mail sent to Petitioner by the Court was returned to the Clerk of the Court with a notation that it was undeliverable as Petitioner was “paroled.” (See Docket No. 5.) As of the date of this order, 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

1 of this return a written communication from the pro se party indicating a current address.
2 See L.R. 3-11(b).

3 More than sixty days have passed since the mail directed to Petitioner by the Court
4 was returned as undeliverable. The Court has not received a notice from Petitioner of a
5 new address. Accordingly, the instant habeas action is DISMISSED without prejudice
6 pursuant to Rule 3-11 of the Northern District Local Rules. The Clerk shall terminate all
7 pending motions and close the file.

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9 DATED: January 17, 2012



EDWARD J. DAVILA
United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JAMES WHEELAND,
Petitioner,

Case Number: CV11-02310 EJD

CERTIFICATE OF SERVICE

v.

RANDY GROUNDS, Warden,
Respondent.

_____/

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

That on 1/18/2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

James Wheeland F-93221
Soledad State Prison
Soledad, CA 93960-0689

Dated: 1/18/2012

Richard W. Wieking, Clerk
/s/ By: Elizabeth Garcia, Deputy Clerk