

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NICKOLAS EMANUEL JEREMIAH
PITTS,

Plaintiff,

v.

WEST COUNTY DETENTION
FACILITY OFFICER BATTLES,

Defendant.

Case No. 21-03723 EJD (PR)

ORDER OF DISMISSAL

Plaintiff, a county inmate proceeding pro se, filed civil rights complaint pursuant to 42 U.S.C. § 1983, and a motion for leave to proceed In Forma Pauperis (“IFP”). Dkt. Nos. 1, 2. On June 9, 2021, the Clerk issued a notice of reassignment. Dkt. No. 8. On June 28, 2021, the notice of reassignment sent to Plaintiff was returned to the Court as undeliverable because Plaintiff was no longer in custody. Dkt. No. 9. To date, Plaintiff has had no further communication with the Court.

Pursuant to Northern District Local Rule 3-11, a party proceeding pro se must promptly file a notice of change of address while an action is pending. 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 of this return a written communication from the pro se

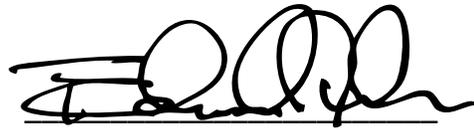
1 party indicating a current address. See L.R. 3-11(b).

2 More than sixty days have passed since the mail addressed to Plaintiff at the West
3 County Detention Facility in Richmond was returned as undeliverable. The Court has not
4 received a notice from Plaintiff regarding a new address. Accordingly, the instant civil
5 rights action is **DISMISSED** without prejudice pursuant to Rule 3-11 of the Northern
6 District Local Rules.

7 The Clerk shall terminate any pending motions.

8 **IT IS SO ORDERED.**

9 Dated: 9/8/2021



EDWARD J. DAVILA
United States District Judge

United States District Court
Northern District of California

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28