

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

REGINALD R. GRIFFIN,

Petitioner,

v.

Case No.: 2:18-cv-462-FtM-38MRM

STATE OF FLORIDA, RICK SCOTT,
KATHLEEN A. SMITH, STEPHEN B.
RUSSELL, MIKE SCOTT and LINDA
DOGGETT,

Respondents.

OPINION AND ORDER¹

This matter is before the Court upon sua sponte review of the record. Petitioner was informed in the Court's Standing Order that he had to keep the Court advised in writing of any changes in his address. ([Doc. 4](#) at ¶ 6) The Court mailed Petitioner a copy of the Standing Order for Filing Documents Exceeding Twenty- Five Pages ([Doc. 7](#)) which was returned as undeliverable because Petitioner was no longer in custody. On July 8, 2019, the Court issued an Order to Show Cause ([Doc. 8](#)) why Petitioner's case should not be dismissed for failing to keep the Court advised of a change in his address. The

¹ Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or websites. These hyperlinks are provided only for users' convenience. Users are cautioned that hyperlinked documents in CM/ECF are subject to PACER fees. By allowing hyperlinks to other websites, this Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their websites. Likewise, the Court has no agreements with any of these third parties or their websites. The Court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the Court.

Order to Show Cause was returned as undeliverable. As of the date on this Order, Petitioner has not filed a notice of change of address. (See docket).

The Petitioner is responsible for informing the Court of any changes in address in order to expedite the judicial process. [Taylor v. Hilden, No. 2:10-CV-221-FTM36SPC, 2010 WL 2643528, at *1 \(M.D. Fla. June 15, 2010\)](#), report and recommendation adopted, No. 2:10-CV-221-FTM-36SPC, [2010 WL 2643527 \(M.D. Fla. June 30, 2010\)](#). The Court's standing order informed Petitioner of the responsibility to keep the Court apprised in writing of his current mailing address. ([Doc. 4, at ¶ 6](#)). Petitioner has violated the Court's orders and has not updated his mailing address for over six months.

The Court has taken reasonable steps to provide Petitioner an opportunity to respond to the Court's Orders and Petitioner was put on notice that the case would be dismissed if he failed to comply. The Local Rules of this Court provide that "[w]henver it appears that any case is not being diligently prosecuted the Court may, on motion of any party or on its own motion, enter an order to show cause why the case should not be dismissed, and if no satisfactory cause is shown, the case may be dismissed by the Court for want of prosecution." M.D. Fla. R. 3.10(a).

The Court finds that Petitioner has failed to prosecute this case and that the case is due to be dismissed. Because the Court is dismissing this action without prejudice, Petitioner may file a new Petition if he wishes to pursue his claim. Petitioner is cautioned that the statute of limitations on filing a petition for habeas corpus as set forth in [28 U.S.C. § 2244\(d\)\(1\)](#) is not stayed and will continue to run while he has no case pending before the Court.

Accordingly, it is hereby

ORDERED:

1. Petitioner's Petition for Habeas Corpus Relief ([Doc. 1](#)) is **DISMISSED** without prejudice.

2. The Clerk of Court shall enter judgment accordingly, terminate any deadlines and pending motions, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 29th day of October 2019.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

SA: FTMP-2
Copies: All Parties of Record