

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION**

ALICIO YANES,

Plaintiff,

v.

WARDEN SUZANNE HASTINGS; and THE
UNITED STATES OF AMERICA,

Defendants.

CIVIL ACTION NO. 2:15-cv-36

ORDER

Plaintiff, who was formerly incarcerated at the Federal Correctional Institution in Jesup, Georgia (“FCI Jesup”), filed a cause of action pursuant to 28 U.S.C. § 1331, Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971), and the Federal Tort Claims Act, 28 U.S.C. §§ 1346 and 2671, *et seq.* (“FTCA”). (Doc. 1.) Plaintiff also filed a Motion to Proceed *In Forma Pauperis*. (Doc. 2.) In granting Plaintiff’s Motion, the Court advised Plaintiff, “While this action is pending, the Plaintiff shall immediately inform this Court in writing of any change of address. Failure to do so will result in dismissal of this case, without prejudice.” (Doc. 3, p. 4.) Plaintiff informed the Court of a correct address, via Notice of Change of Address, which indicated Plaintiff’s address with an effective date of July 28, 2015. The Court notes Plaintiff informed the Court that his mail should be sent in care of “Noemi Pineda” in Kenansville, North Carolina. (Doc. 6.)

Presently before the Court is the United States of America’s Notice of Deportation, which indicates Plaintiff was deported to Mexico on September 29, 2015. (Doc. 17-1, p. 2.) This Notice also indicates Plaintiff’s name is “Alicio Yanes-Pineda”. (Id.) However, Plaintiff failed to notify the Court of his change of address, which he was specifically instructed to do. (Doc. 3, p. 4.) While the

Court recognizes Plaintiff notified the Court of a “correct address” in July 2015, this address is for Noemi Pineda, which the Court presumes is Plaintiff’s wife, mother, or sister. However, the familial relationship between Plaintiff and Noemi Pineda is of no moment, as Plaintiff is the party proceeding before this Court. Additionally, Plaintiff has apparently been deported to Mexico since that time.

Plaintiff is hereby **ORDERED** to provide the Court with his change of address within twenty-one days of this Order. Plaintiff’s failure to do so may result in the dismissal of his cause of action, without prejudice, for failure to follow this Court’s Orders or to otherwise prosecute his claims.

SO ORDERED, this 2nd day of March, 2016.

A handwritten signature in blue ink, appearing to read "R. Stan Baker". The signature is stylized and cursive.

R. STAN BAKER
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA