IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DOUG E. CHARLES,

Petitioner,

vs. **Civil No. 15-cv-777-DRH-CJP**

JAMES N. CROSS,

Respondent.

MEMORANDUM and ORDER

HERNDON, District Judge:

Petitioner Doug E. Charles was an inmate in the BOP at the time he filed his petition for habeas relief pursuant to 28 U.S.C. §2241. Respondent recently notified the Court that petitioner was released from BOP custody in June 2016. See, Doc. 15.

Petitioner has not notified the Court of release from the BOP or of his new address.

In its order on preliminary review, the Court warned petitioner of the consequences of failure to keep the Court informed of his whereabouts:

> Petitioner is **ADVISED** of his continuing obligation to keep the Clerk (and each opposing party) informed of any change in his whereabouts during the pendency of this action. This notification shall be done in writing and not later than seven days after a transfer or other change in address occurs. Failure to provide such notice may result in dismissal of this action. See FED. R. CIV. P. 41(b).

Doc. 3, pp. 5-6.

In addition, a recent Notice of Impending Dismissal, Doc. 20, imparted the

same warning. The Notice ordered petitioner to notify the Court of his current address by October 3, 2016, or face dismissal of this action.

Clearly, petitioner has not kept the Court informed of his whereabouts and has failed to follow the Court's order.

This Court gave petitioner the "warning shot" required by *Ball v. City of Chicago*, 2 F.3d 752, 755 (7th Cir. 1993) in Docs. 3 & 20. Petitioner has failed to diligently pursue this case. Pursuant to *Johnson v. Chicago Board of Education*, 718 F. 3d 731 (7th Cir. 2013), the Court has considered whether a sanction short of dismissal of this case might be fruitful, and finds that it would not.

Conclusion

This cause of action is **DISMISSED WITH PREJUDICE**. The Clerk of Court shall enter judgment in favor of respondent.

IT IS SO ORDERED.

Signed this 4th day of October, 2016.

United States District Judge