

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FERMIN HERNANDEZ,)
 Plaintiff,)
)
 v.) C.A. No. 09-12224-MLW
)
UNITED STATES OF)
AMERICA,)
 Defendant.)

ORDER

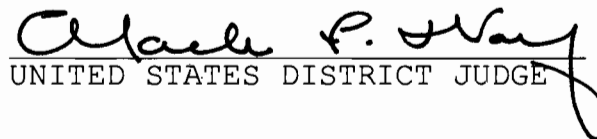
WOLF, C.J.

March 18, 2013

On September 23, 2011, a Notice of Reassignment was mailed to Fermin Hernandez. The Notice of Reassignment was returned by the United States Postal Service on October 6, 2011 as undeliverable and unable to be forwarded. To date, Hernandez has failed to inform the court of his present address.

Local Rule 83.5.2(e) provides that "each party appearing pro se is under a continuing duty to notify the clerk of any change of address and telephone number." Plaintiff has failed to satisfy this obligation or, indeed, to prosecute this case. Therefore, it is appropriate to dismiss this case without prejudice. See L.R. 1.3.

Accordingly, it is hereby ORDERED that Hernandez's Petition to Vacate, Set Aside, or Correct Sentence Pursuant to 28 U.S.C. §2255 (Docket No. 1) is DISMISSED without prejudice.


UNITED STATES DISTRICT JUDGE