IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

)

EARL MITCHELL, JR.,

Petitioner,

v.

ROBERT HOUSTON, Director Nebraska Dept. of Correctional Services,

Respondent.

CASE NO. 4:09CV3174

MEMORANDUM AND ORDER

This matter is before the court on its own motion. On September 29, 2009, the Clerk of the court sent a Memorandum and Order (Filing No. <u>10</u>) to Earl Mitchell, Jr. ("Mitchell") at his last known address. On October 5, 2009, that document was returned to the court as undeliverable and resent to Mitchell at the forwarding address provided on the returned document. (Filing No. <u>11</u>.) On October 13, 2009, the document was, again, returned to the court as undeliverable. (Filing No. <u>12</u>.)

Mitchell has an obligation to keep the court informed of his current address at all times. See <u>NEGenR 1.3(e) and (g)</u> (requiring pro se parties to adhere to local rules and inform the court of address changes within 30 days). This case cannot proceed if Mitchell's whereabouts remain unknown.

IT IS THEREFORE ORDERED that:

1. Mitchell shall have until January 29, 2010, to apprise the court of his current address, in the absence of which this case will be dismissed without prejudice and without further notice; and

2. The Clerk of the court is directed to set a pro se case management deadline in this case using the following text: January 29, 2010: deadline for informing court of new address.

Dated this 29th day of December, 2009.

BY THE COURT:

s/Laurie Smith Camp United States District Court

^{*}This opinion may contain hyperlinks to other documents or Web sites. The U.S. District Court for the District of Nebraska does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their Web sites. Likewise, the court has no agreements with any of these third parties or their Web sites. 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.