

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CHARLES A. FILHIOL,

Plaintiff,

vs.

TODD BAHENSKY, Director of Hall
County Department of Corrections;
AARON GRAY, Sergeant; TROY
TAYLOR, Classifications Officer;
JASON CONLEY, Classifications
Sergeant; TRAVIS MILEM, EDDY
CHAMPION, SARAH HOOD,
(Blodgett); DARLA SPARR, Sergeant;
BARBARA LURZ, TAMMY BADER,
DESTINEE CHAPPA, LACY
BROEKER, NICHOLE LOVE,
ANGELA MACIEJEWSKI, and
ANGELA BARCENAS,

Defendants.

8:16CV460

**MEMORANDUM
AND ORDER**

This matter is before the court on its own motion. On September 26, 2017, the clerk of the court sent an order to Plaintiff at his last known address and it was returned to this court as undeliverable. ([Filing Nos. 64, 73.](#)) The court takes judicial notice of Nebraska Department of Correctional Services public records, which show that Plaintiff has been released from incarceration. *See Stutzka v. McCarville*, 420 F.3d 757, 761, n.2 (8th Cir. 2005) (court may take judicial notice of public records). Plaintiff has an obligation to keep the court informed of his current address at all times. *See* NEGenR [1.3](#)(e) and (g) (requiring pro se parties to adhere to local rules and inform the court of address changes within 30 days). This case cannot be prosecuted in this court if Plaintiff's whereabouts remain unknown.

IT IS THEREFORE ORDERED that: Plaintiff must apprise the court of his current address within 30 days. Failure to do so will result in dismissal of this matter without prejudice and without further notice. The clerk of the court is directed to set a pro se case management deadline in this case using the following text: **November 27, 2017**: check for address; dismiss if no update.

Dated this 25th day of October, 2017.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge