

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

JAMES CURTIS PHILLIPS,

v.

BRIAN WILLIAMS, et al.,

Petitioner,

Respondents.

Case No. 2:16-cv-02709-JCM-BNW

ORDER

Having twice received notice of undeliverable mail to petitioner’s address of record, this court entered an order on May 16, 2019, directing petitioner to comply with his obligation to notify this court of any change of his mailing address and allowing him 30 days to do so. ECF No. 21. See LR IA 3-1 (“An attorney or pro se party must immediately file with the court written notification of any change of mailing address.”). Not surprisingly, that order was also returned to the court as undeliverable. ECF No. 22. In addition, petitioner has not filed a document in this case since filing an amended petition in February 2017.

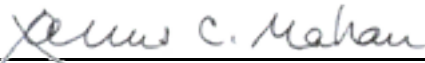
Based on the foregoing, this case will be dismissed. See LR IA 3-1; Fed. R. Civ. P. 41(b) (permitting dismissal for failure to comply with court order); *Ferdik v. Bonzelet*, 963 F.2d 1258, 1260 (9th Cir. 1992) (recognizing inherent power of district courts to control their dockets by imposing sanctions, which includes dismissal of a case where appropriate).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IT IS THEREFORE ORDERED that the amended petition for writ of habeas corpus (ECF No. 8) is DISMISSED without prejudice. The Clerk of Court shall enter judgment accordingly.

IT IS FURTHER ORDERED that a certificate of appealability is DENIED, as jurists of reason would not find the court's dismissal of this action to be debatable or incorrect.

DATED July 2, 2019.



JAMES C. MAHAN,
UNITED STATES DISTRICT JUDGE