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14UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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HUBERT W. DRAW, JR.,

Case No. 3:15-cv-00224-MMD-WGC

Petitioner,

ORDER

v.

ISIDRO BACA, *et al.*,

Respondents.

This action is a *pro se* petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, by Hubert W. Draw, Jr., who, on October 31, 2007, after a jury trial in Nevada's Eighth Judicial District Court (Clark County), was convicted of one count of sexual assault with a minor under sixteen years of age, and seven counts of open or gross lewdness (a gross misdemeanor).

Respondents have filed an answer, responding to the claims remaining in Draw's Petition. (ECF No. 39.) Draw did not file a reply to Respondents' answer, and, in fact, has taken no action in the case since December 19, 2016, when he filed a motion to voluntarily dismiss an unexhausted claim. (ECF No. 35.)

Meanwhile, it appears that Draw has been discharged from prison, and he has not provided the Court with a notice of change of his mailing address.

On June 15, 2018, the Court entered an Order (ECF No. 40), requiring that, no later than July 20, 2018, Draw either: (1) file a notice confirming that his mailing address is still the address that the Court has for him, at the Lovelock Correctional Center ("LCC"),

1 1200 Prison Rd., Lovelock, NV 89419, or (2) file a notice of his new mailing address. That
2 Order, mailed to Draw at the LCC address, was returned to the Court undelivered, with
3 indications on the returned envelope that Draw is no longer incarcerated at that prison.
4 Draw did not respond to the June 15, 2018, order by July 20, 2018. Therefore, this case
5 will be dismissed, without prejudice, for Draw's failure to keep the Court informed of his
6 current address as required by LR IA 3-1.


7 It is therefore ordered that this action is dismissed without prejudice.

8 It is further ordered that Petitioner is denied a certificate of appealability.

9 It is further ordered that the Clerk of the Court enter judgment accordingly.

10 DATED THIS 24th day of July 2018.

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MIRANDA M. DU
UNITED STATES DISTRICT JUDGE