

NOT FOR PUBLICATIONUNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ROBERT SMITH,	:	
	:	
	:	Civil Action No. 10-3637 (MLC)
Petitioner,	:	
	:	
v.	:	O P I N I O N
	:	
PAUL SCHULTZ,	:	
	:	
Respondent.	:	
_____	:	

PETITIONER, Robert Smith, filed a pro se habeas petition without prepaying his filing fee or submitting his application to proceed in forma pauperis. See dkt. entry no. 1.

PETITIONER, then a federal prisoner, challenged a detainer lodged against him by the State of New Jersey. See id.

THE COURT directed Respondent to answer Petitioner's challenges. See dkt. entry no. 2. While the Court was awaiting Respondent's answer, Petitioner was released from federal confinement. See <<<http://www.bop.gov/iloc2/InmateFinderServlet?Transaction=IDSearch&needingMoreList=false&IDType=IRN&IDNumber=53870-083&x=68&y=19>>> (indicating release on February 7, 2011).

PETITIONER failed to comply with Local Civil Rule 10.1(a), which requires unrepresented parties to advise the Court of any change in address within seven days. Moreover, since Petitioner was released from federal confinement, Respondent can no longer honor the detainer allegedly lodged against Petitioner and is no

longer the proper respondent for the purposes of Petitioner's challenges.

THE COURT will dismiss the Petition without prejudice to Petitioner raising his claims in a petition naming proper respondents and filed in a new and separate matter. Such petition shall be accompanied by his filing fee or in forma pauperis application. The Court expresses no opinion about the procedural propriety or substantive validity of such petition, if filed.

THE COURT will issue an appropriate order and judgment.

s/ Mary L. Cooper
MARY L. COOPER
United States District Judge

Dated: June 8, 2011