

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:11-cv-347-RJC**

**ERIC LAMAR TOLBERT,**

)

)

**Petitioner,**

)

)

v.

)

**ORDER**

)

**RICHARD NEELY,**

)

)

**Respondent.**

)

)

**THIS MATTER** comes before the Court on initial review of a Petition under 28 U.S.C. § 2254 for a Writ of Habeas Corpus. (Doc. No. 1).

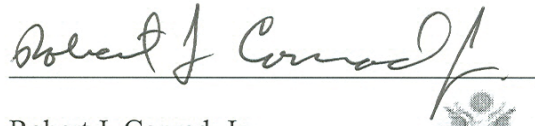
Rule 4 of the Rules Governing § 2254 Cases directs habeas courts to promptly examine habeas petitions. 28 U.S.C.A. foll. § 2254. When it plainly appears from any such petition and any attached exhibits that the petitioner is not entitled to relief, the reviewing court must dismiss the motion. Id.

Petitioner was released from custody on November 6, 2011, but has yet to update this Court with his new address. Petitioner is ordered to inform the Court whether he wishes to pursue this action and update his address within thirty (30) days of the date of this Order. Failure to obey this Order will result in dismissal. The Court requests that Lynn Summers, Jr., administrator of Hoke Correctional Institution, forward this Order to Petitioner or to the North Carolina Parole Commission for forwarding to Petitioner.

**IT IS, THEREFORE, ORDERED** that:

1. Petitioner must inform the Court whether he wishes to pursue this action and must update his address within thirty (30) days of the date of this Order.

Signed: January 17, 2012

Handwritten signature of Robert J. Conrad, Jr. in cursive script, written over a horizontal line.

Robert J. Conrad, Jr.  
Chief United States District Judge

