

**IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF OKLAHOMA**

**JOSEPH WAYNE SANFORD,** )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
**LARRY BENZON, Warden,** )  
 )  
 Respondent. )

**No. CIV 20-376-RAW-KEW**

**OPINION AND ORDER**

On June 24, 2019, Petitioner, a pro se prisoner incarcerated in Utah State Prison in Draper, Utah, filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 in the United States District Court for the District of Utah. (Dkt. 1). On October 20, 2020, the case was transferred to this Court. (Dkts. 3, 4). On November 3, 2020, this Court sent Petitioner a copy of a minute order regarding his filing fee. (Dkt. 8). The minute order was returned on November 16, 2020, with a note reading, “Please stop sending mail for Joseph Sanford #222341, this is the 3rd time I have sent his mail back to you. He is NOT here. Thank you.” (Dkt. 9 at 3) (emphasis in original).

Because Petitioner has failed to advise the Court of his current address, as required by Local Civil Rule 5.6(a), this action is dismissed without prejudice for his failure to prosecute. *See United States ex rel. Jimenez v. Health Net, Inc.*, 400 F.3d 853, 854-56 (10th Cir. 2005) (dismissing appeal sua sponte for failure to prosecute because appellant disappeared and failed to meet court deadlines).

**ACCORDINGLY**, this action is, in all respects, **DISMISSED WITHOUT**

PREJUDICE for failure to prosecute.

**IT IS SO ORDERED** this 18th day of February 2021.

A handwritten signature in black ink, reading "Ronald A. White". The signature is written in a cursive style with a horizontal line underneath it.

Ronald A. White  
United States District Judge  
Eastern District of Oklahoma