

**UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA**

Joey Dennis v. D. Samuel

Dennis v. Samuel · No. 2:23-cv-04981-CV-BFM · Decided June 13, 2025

SUMMARY

The court ordered habeas petitioner Joey Dennis to show cause why his action should not be dismissed without prejudice for failing to keep the Court informed of his current address. The order states that mail was returned, the petitioner appeared to have been released from custody, and he had not contacted the Court for over a year. The petitioner was required to respond by June 27, 2025.

OPINION

CIVIL MINUTES – GENERAL Case No.: 2:23-cv-04981-CV-BFM Date: June 13, 2025 Title: Joey Dennis v. D. Samuel, et al. Present: The Honorable Brianna Fuller Mircheff, United States Magistrate Judge Christianna Howard N/A Deputy Clerk Court Reporter / Recorder Attorneys Present for Petitioner: Attorneys Present for Respondent: N/A N/A Proceedings: (In Chambers) Returned Mail and Order to Show Cause Re: Failure to Notify Court of Address Change Petitioner filed a petition for a writ of habeas corpus.

(ECF 1.) The matter is fully briefed and ready for decision. In the interim, it appears Petitioner has been released from custody; mail sent to his facility earlier this year has been returned (ECF 37, 38, 39), and CDCR’s inmate locator indicates he is no longer in custody. Dennis has had no contact with the Court for over a year and has not provided his post-release address to the Court.

The Court thus has no current means to get a hold of him. Under Local Rule 41-6, the failure of a pro se litigant to keep the court apprised of his address is itself grounds for dismissal of the action. In this case, Petitioner’s actions suggest he may have abandoned this Petition, and failure to prosecute, too, is grounds for dismissal without prejudice. See *Uribe v. Spearman*, No. CV 15-4908-JGB (JPR), 2019 WL 3284581, at *1 (C.D.

Cal. July 19, 2019) (noting that habeas petitioner who did not file change of address after he was released from custody “appear[ed] to have abandoned his claims”). The Court therefore orders Petitioner to show cause—meaning, to explain—why the case should not be dismissed for failure to keep the Court informed of his current address. Page 1 of 2 CIVIL MINUTES – GENERAL Case No.: 2:23-cv-04981-CV-BFM Date: June 13, 2025 Title: Joey Dennis v. D. Samuel, et al. Petitioner’s response to this Order must be filed no later than June 27, 2025.

Providing the Court with his current address will constitute an adequate response to this Order. Failure to respond to this Order by June 27, 2025, may result in a recommendation to the District Judge that this action be dismissed without prejudice for failure to notify the Court of his current address. IT IS SO ORDERED. cc: Joey Dennis, pro se Taylor T. Nguyen, CAAG Initials of Preparer: ch Page 2 of 2