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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSE GONZALEZ MANRIQUEZ,
et al.,

No. 2:08-cv-880-KJM-EFB PS

Plaintiffs,

vs.

TODD GOODRUM, et al.,
Defendants.

FINDINGS AND RECOMMENDATIONS

_____ /
This action was referred to the undersigned pursuant to Local Rule 302(c)(21) and 28 U.S.C. § 636(c). Dckt. No. 37. On October 26, 2012, the undersigned issued an order granting plaintiffs’ counsel’s motion to withdraw as attorney for plaintiffs Jose Gonzalez Manriquez, Aldo Bacenas, Javier Vallejo Renteria, Amador Martinez Gonzalez, Fernando Cabrera Guzman, Eliazarb Rojas Blancas, Juan Carrillo, Salvador Renteria, and Eddy Saul Ramos, and directing plaintiffs to show cause why this action should not be dismissed for failure to prosecute. Dckt. No. 60 (citing Fed. R. Civ. P. 41(b)). The order provided that “[a]lthough defendants’ default was entered over a year and a half ago, plaintiffs still have not moved for default judgment against defendants, nor have they indicated how they intend to proceed with this action.” *Id.* at 5. The order also noted that plaintiffs “have failed to communicate with their counsel for the past three and a half years, despite numerous attempts by counsel to contact them.” *Id.* at 5-6.

1 The order admonished plaintiffs that a failure to respond to the order to show cause “may result
2 in a recommendation that this action be dismissed for lack of prosecution and/or for failure to
3 comply with court orders and this court’s Local Rules.” *Id.* at 6.

4 The deadline has passed and plaintiffs have not responded to the order to show cause.¹
5 Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed, and that the
6 Clerk be directed to close this case. Fed. R. Civ. P. 41(b); E.D. Cal. L.R. 110.

7 These findings and recommendations are submitted to the United States District Judge
8 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
9 after being served with these findings and recommendations, any party may file written
10 objections with the court and serve a copy on all parties. Such a document should be captioned
11 “Objections to Magistrate Judge’s Findings and Recommendations.” Failure to file objections
12 within the specified time may waive the right to appeal the District Court’s order. *Turner v.*
13 *Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

14 Dated: November 16, 2012.

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16 EDMUND F. BRENNAN
17 UNITED STATES MAGISTRATE JUDGE
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24 ¹ Although it appears from the file that copies of the findings and recommendations were
25 returned as undeliverable to several of the plaintiffs, all plaintiffs were served at their last known
26 addresses. It is each plaintiff’s responsibility to keep the court apprised of his current address at
all times. Pursuant to Local Rule 182(f), service of documents at the record address of the party
is fully effective.