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

10 JOSEPH DUPREE,

Plaintiff,

No. 2:12-cv-2477 GGH P

12 vs.

ROBERT CONRAD, et al.,

ORDER

Defendants.

FINDINGS & RECOMMENDATIONS

Plaintiff, proceeding in this action pro se, has filed what appears to be a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff is a former prisoner and while the allegations are difficult to discern it appears to relate to his parole agent or parole revocation. However, plaintiff is not currently in custody and plaintiff has failed to provide an address, simply stating he is homeless and living in motels. Plaintiff has also not filed an in forma pauperis affidavit or paid the required filing fee to proceed with this action. See 28 U.S.C. §§ 1914(a), 1915(a). As plaintiff has not provided any means for the court to contact him, there is no way for this action to proceed. Therefore, it will be recommended that this action be

<sup>&</sup>lt;sup>1</sup> Plaintiff used a cover sheet for a prisoner civil rights action, but simply stated for address, "Homeless - Motel Housing." A search of the CDCR and Sacramento County Jail inmate locators did not provide any matches.

1 dismissed without prejudice. Should plaintiff establish some way for the court to contact him he 2 may re-file this action along with the filing fee or an application to proceed in forma pauperis. 3 Accordingly, IT IS HEREBY ORDERED that a district judge be assigned to this 4 case. 5 IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. 6 7 These findings and recommendations are submitted to the United States District 8 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen 9 days 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." Any reply to the objections 12 shall be served and filed within seven days after service of the objections. The parties are 13 advised that failure to file objections within the specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991). 14 15 DATED: October 10, 2012 16 /s/ Gregory G. Hollows UNITED STATES MAGISTRATE JUDGE 17 18 GGH: AB 19 dupr2477.dis 20 21 22 23 24 25

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