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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PERRY ROMANO,

 Plaintiff,

 v.

SACRAMENTO POLICE
DEPARTMENT, et al.,

 Defendants.

No. 2:14-cv-2470 AC P

ORDER and
FINDINGS & RECOMMENDATIONS

This prisoner civil rights action is referred to the undersigned United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302(c). Two recent court orders were served on plaintiff’s address of record and returned by the postal service.¹ See ECF No. 25 (filed and served January 4, 2016; returned January 29, 2016); and No. 29 (filed and served February 5, 2016; returned March 4, 2016). It appears that plaintiff has failed to comply with Local Rule 183(b), which requires that a party appearing in propria persona promptly inform the court of any address change, and authorizes dismissal of an action without prejudice if a notice of address

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¹ Plaintiff was no longer incarcerated when these orders were served. The orders were served on plaintiff’s address of record, a street address in Woodland, California. See ECF No. 24. Between the dates that these orders were served, plaintiff filed a short letter concerning his submission of documents to effect service of process; the letter bears the date January 24, 2016, but does not identify plaintiff’s new or current address. See ECF No. 28.


1 change has not been provided within sixty-three days after the return of a court order.² Because
2 sixty-three days have passed since the postal service returned the aforementioned court orders
3 commencing January 29, 2016, dismissal of this action without prejudice is warranted for failure
4 to prosecute. See Local Rule 183(b).

5 Accordingly, IT IS HEREBY ORDERED that the Clerk of Court randomly assign a
6 United States District Judge to this action.

7 Additionally, for the foregoing reasons, IT IS HEREBY RECOMMENDED that this
8 action be dismissed without prejudice for failure to prosecute. See Local Rule 183(b).

9 These findings and recommendations are submitted to the United States District Judge
10 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen (14)
11 days after being served with these findings and recommendations, plaintiff may file written
12 objections with the court. The document should be captioned "Objections to Magistrate Judge's
13 Findings and Recommendations." Plaintiff is advised that failure to file objections within the
14 specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951
15 F.2d 1153 (9th Cir. 1991).

16 DATED: April 4, 2016

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18 ALLISON CLAIRE
19 UNITED STATES MAGISTRATE JUDGE

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25 ² Local Rule 183(b) provides:

26 A party appearing in propria persona shall keep the Court and
27 opposing parties advised as to his or her current address. If mail
28 directed to a plaintiff in propria persona by the Clerk is returned by
the U.S. Postal Service, and if such plaintiff fails to notify the Court
and opposing parties within sixty-three (63) days thereafter of a
current address, the Court may dismiss the action without prejudice
for failure to prosecute.