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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SHARON N. DAILEY,

Plaintiff,

v.

SOLANO COUNTY SHERIFF, et al.,

Defendants.

No. 2:23-cv-00787-DAD-DB (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION DUE TO PLAINTIFF’S FAILURE
TO PROSECUTE

(Doc. No. 8)

Plaintiff Sharon N. Dailey is a former county jail inmate proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636 (b)(1)(B) and Local Rule 302.

On October 26, 2023, the assigned magistrate judge issued findings and recommendations recommending that this action be dismissed, without prejudice, due to plaintiff’s failure to prosecute this action. (Doc. No. 8.) Specifically, the magistrate judge noted that the service copy of the court’s orders dated July 25, 2023 (Doc. Nos. 5,6), which were mailed to plaintiff at her address of record, had been returned to the court marked as “Undeliverable, Insufficient Address” on August 16, 2023. (Doc. No. 8.) Thus, plaintiff was required to file a notice of her change of address with the court no later than October 23, 2023. (*Id.*) Because plaintiff had not done so, the magistrate judge concluded that plaintiff has failed to comply with Local Rule 183(b)’s requirement “that a party appearing *in propria persona* inform the court of any address change.”

1 (Doc. No. 8 at 1.) Further, because plaintiff had not otherwise communicated with the court, the
2 magistrate judge concluded that plaintiff has failed to prosecute this action. (*Id.*) The pending
3 findings and recommendations were served on plaintiff by mail at her address of record and
4 contained notice that any objections thereto were to be filed within fourteen (14) days after
5 service.¹ (*Id.* at 1–2.) To date, no objections to the findings and recommendations have been
6 filed, and the time in which to do so has now passed.

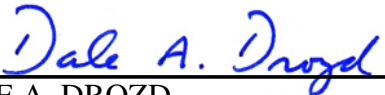
7 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
8 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
9 findings and recommendations are supported by the record and by proper analysis.

10 Accordingly:

- 11 1. The findings and recommendations issued on October 26, 2023 (Doc. No. 8) are
12 adopted in full;
- 13 2. This action is dismissed, without prejudice, due to plaintiff’s failure to prosecute
14 this action; and
- 15 3. The Clerk of the Court is directed to close this case.

16 IT IS SO ORDERED.

17 Dated: November 30, 2023

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20 DALE A. DROZD
21 UNITED STATES DISTRICT JUDGE

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27 ¹ On August 2, 2023, the court received notice that plaintiff was released from custody. (Doc.
28 No. 7.) In any event, plaintiff has clearly failed to comply with Local Rule 183(b) and prosecute
this action.