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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Clevon Townsend,

Petitioner,

v.

Susan McClintock,

Respondent.

No. CV-13-00298-TUC-DCB

**ORDER**

On May 6, 2016, Magistrate Judge Bernardo P. Velasco issued a Report and Recommendation (R&R) to dismiss this case for lack of prosecution. Petitioner has the duty to prosecute the case. Petitioner has been released from prison and has failed to file notice of a change of address. Orders issued by the Court have been returned as undeliverable, including the R&R. Rule 41(b) of the Federal Rules of Civil Procedure provide for the dismissal of an action when there is a failure to prosecute or to comply with the rules or a court order.

**Accordingly,**

**IT IS ORDERED** that the R&R (Doc. 19) is adopted as the findings of fact and conclusions of law of this Court, and the Petition (Doc. 1) is dismissed without prejudice.

Dated this 6th day of June, 2016.

  
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David C. Bury  
United States District Judge