

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.: EDCV 10-629-R (MAN)

Date: February 16, 2011

Title: Federico Rodrigues v. J.L. Norwood, et al.

DOCKET ENTRY: ORDER TO SHOW CAUSE RE: DISMISSAL

PRESENT:

Hon. Margaret A. Nagle, United States Magistrate Judge

Earlene Carson
Deputy Clerk

N/A
Court Reporter/Tape No.

ATTORNEYS PRESENT FOR PLAINTIFF:

ATTORNEYS PRESENT FOR DEFENDANTS:

N/A

N/A

PROCEEDINGS (In Chambers):

On April 30, 2010, plaintiff was granted permission, pursuant to 28 U.S.C. § 1915(b)(1), to file this action without prepayment of the full filing fee of \$350.00. The April 30, 2010 Order required plaintiff to remit an initial partial filing fee within 30 days, and cautioned plaintiff that failure to do so “may result in dismissal of your case.” As of this date, neither that initial partial filing fee nor any other payment has been made by plaintiff.

In addition, pursuant to Federal Rule of Evidence 201, the Court has taken judicial notice of the results of a search performed using the Inmate Locator database on the Federal Bureau of Prisons website. The Court’s search shows that plaintiff was released from prison (the Federal Correctional Complex in Coleman, Florida) on August 16, 2010. In violation of Local Rule 41-6 and this Court’s Order of May 12, 2010 (paragraph 2), plaintiff failed to notify the Court of his address change and provide his current address. In its May 12, 2010 Order, the Court explicitly cautioned plaintiff that the failure to comply with his obligation to apprise the Court of any address change may result in the dismissal of this action for failure to prosecute.

Plaintiff has violated 28 U.S.C. § 1915(b) and Local Rule 41-6. Accordingly, plaintiff is ORDERED TO SHOW CAUSE why this action should not be dismissed without prejudice based on plaintiff’s failure to comply with these requirements.

If plaintiff wishes to pursue this action, he must file a response to this Order To Show Cause **by no later than March 17, 2011**. Failure by plaintiff to file a response by the March 17, 2011 deadline will be deemed to be consent to the dismissal of this action without prejudice.

IT IS SO ORDERED.