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

FRANK GONZALES,

Plaintiff,

vs.

MATTHEW L. CATE, et al.,

Defendants.

CASE No. 1:06-cv-01420-AWI-MJS (PC)

ORDER (1) STRIKING PLAINTIFF'S
NOTICE OF CHANGE OF ADDRESS
and (2) DIRECTING PLAINTIFF TO FILE
NOTICE OF CURRENT ADDRESS

(ECF No. 101)

THIRTY (30) DAY DEADLINE

_____/

Plaintiff Frank Gonzales, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action on October 13, 2006 pursuant to 42 U.S.C. § 1983. (ECF No. 1.) The action proceeds on Plaintiff's December 24, 2009 Third Amended Complaint (ECF No. 37) against Defendants Lantz, Garrison, Nichols, Deathriage, and Govea for First and Eighth Amendment violations and against Defendants Garza, Franco, Mayes, Cate, Fernando, Marrujo, and Fuentes for a First Amendment violation. (ECF No. 62.)

On May 6, 2013, a document characterized as "Plaintiff's Notice of Change of Address" (ECF No. 101) was filed by a third party.

Plaintiff is proceeding pro se and must act personally, not by or through a third party. Fed. R. Civ. P. 11(a); Local Rule 131(b); Local Rule 183(a). Thus, the "Notice of

1 Change of Address” document is not a properly filed document and shall be stricken
2 from the record. Id. Plaintiff may not use any address other than his own for his
3 address in this case unless he is represented by an attorney who formally appears in
4 the action as his attorney. Pro se litigants such as he generally are precluded from
5 using an address other than their place of incarceration. Local Rule 183(a)(b).

6 Plaintiff is to file a notice advising the Court of his correct current address. Local
7 Rule 183(b).

8 Accordingly, it is HEREBY ORDERED that:

- 9 1. Plaintiff’s Notice of Change of Address (ECF No. 101) is STRICKEN
10 from the record;
- 11 2. Plaintiff is directed to sign and file a notice of his current address within
12 thirty days from service of this Order;
- 13 3. If Plaintiff fails to comply with this Order his instant action may be
14 dismissed for failure to prosecute; and
- 15 4. The Court Clerk is directed to serve this Order on Plaintiff at the
16 following addresses:

| | |
|-------------------------|----------------------------------|
| 17 Frank Gonzales | Frank Gonzales #T-50479 |
| 18 c/o C.M. Moore | Wasco State Prison B-1-127 Lower |
| 19 35 Bonito Way | P.O. BOX 5500 |
| 20 Oak Harbor, WA 98277 | WASCO, CA 93280-5500 |

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25 IT IS SO ORDERED.

26 Dated: May 8, 2013

27 Isi Michael J. Seng
UNITED STATES MAGISTRATE JUDGE