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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

NORMAN IVORY,

Plaintiff,

vs.

CORRECTIONAL OFFICER S. MERAZ,

Defendant.

1:09-cv-01272-AWI-GSA-PC

ORDER DISMISSING THIS ACTION,
WITHOUT PREJUDICE, FOR
PLAINTIFF'S FAILURE TO PROSECUTE

ORDER FOR CLERK TO CLOSE CASE

Norman Ivory ("Plaintiff") is a state prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. All parties to this action have voluntarily consented to the jurisdiction of Magistrate Judge Gary S. Austin, and on September 25, 2013, the case was assigned to Magistrate Judge Gary S. Austin for all intents and purposes, within the meaning of 28 U.S.C. § 636(c), to conduct any and all further proceedings in the case, including the trial and entry of final judgment. (Doc. 156.)

This case was previously scheduled for trial to commence on October 22, 2013 at 8:30 a.m. before Magistrate Judge Austin. On September 26, 2013, the court entered an order for Plaintiff to appear at a hearing on October 3, 2013, to show cause why this case should not be dismissed for Plaintiff's failure to keep the court apprised of his current address, pursuant to Local Rule 183(a). (Doc. 158.) On October 3, 2013, Plaintiff filed a notice of change of address. (Doc. 162.) The show cause hearing was held as scheduled on October 3, 2013.

1 Plaintiff failed to appear at the hearing. The court vacated the trial date and set the matter for a
2 status conference on October 22, 2013, at 9:00 a.m. before Magistrate Judge Austin.

3 On October 22, 2013, the status conference was held as scheduled. Plaintiff failed to
4 appear at the status conference, with no showing of good cause. Based on Plaintiff's failure to
5 appear, the court dismissed this action, without prejudice, for failure to prosecute.

6 Accordingly, based on the foregoing, IT IS HEREBY ORDERED that:

- 7 1. This action is DISMISSED, without prejudice, based on Plaintiff's failure to
8 prosecute; and
- 9 2. The Clerk is directed to CLOSE this case.

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12 IT IS SO ORDERED.

13
14 Dated: October 22, 2013

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE