

1 returned, and he has not notified the Court of a current address.

2 “In determining whether to dismiss an action for lack of prosecution, the district court is
3 required to consider several factors: ‘(1) the public’s interest in expeditious resolution of
4 litigation; (2) the court’s need to manage its docket; (3) the risk of prejudice to the defendants; (4)
5 the public policy favoring disposition of cases on their merits; and (5) the availability of less
6 drastic sanctions.’” Carey v. King, 856 F.2d 1439, 1440 (9th Cir. 1988) (quoting Henderson v.
7 Duncan, 779 F.2d 1421, 1423 (9th Cir. 1986)). These factors guide a court in deciding what to
8 do, and are not conditions that must be met in order for a court to take action. In re
9 Phenylpropanolamine (PPA) Prods. Liab. Lit., 460 F.3d 1217, 1226 (9th Cir. 2006) (citation
10 omitted).

11
12 In this instance, Local Rule 183(b) provides for the dismissal of an action based on
13 returned mail. Given the Court’s inability to communicate with Plaintiff, dismissal is warranted
14 and there are no other reasonable alternatives available. See Carey, 856 F.2d at 1441.
15 Accordingly,
16

17 IT IS HEREBY ORDERED that:

- 18 1. This action is DISMISSED, without prejudice, based on Plaintiff’s failure to
19 prosecute; and
20
21 2. The Clerk of the Court is directed to close this case.

22
23 IT IS SO ORDERED.

24 Dated: July 3, 2013

25 
26 _____
27 UNITED STATES MAGISTRATE JUDGE
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