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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

R. GAINES,

Plaintiff,

v.

JAMES D. HARTLEY, et al.,

Defendants.

CASE NO. 1:12-cv-00715-AWI-BAM PC

ORDER DISMISSING ACTION, WITHOUT
PREJUDICE, FOR FAILURE TO COMPLY
WITH A COURT ORDER

Plaintiff R. Gaines is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. On May 3, 2012, the complaint and motion to proceed in forma pauperis were filed and new case documents were mailed to Plaintiff.¹ The Court was unable to find any inmate with the California Department of Corrections and Rehabilitation (“CDCR”) number provided by Plaintiff in the CDCR Inmate Locator System, nor did the system show any inmate by this name housed at Avenal State Prison. Because the Court was unable to determine if Plaintiff was entitled to proceed in forma pauperis in this action, an order issued on May 4, 2012, requiring Plaintiff to provide his full name and correct CDCR number to the Court. Plaintiff was advised that failure to comply with the order would result in this action being dismissed, without prejudice, for failure to obey a court order. More than fifteen days has passed and Plaintiff has failed to comply or otherwise respond to the Court’s order.

¹On May 10, 2012, the new case documents were returned marked undeliverable, not at ASP. On June 6, 2012, the order assigning this case to the Honorable Anthony W. Ishii was returned as undeliverable, marked “Paroled”. Plaintiff has not notified the Court of any change in his address. Absent such notice, service at a party’s prior address is fully effective. Local Rule 182(f).

1 Local Rule 110 provides that “[f]ailure of counsel or of a party to comply with these Rules
2 or with any order of the Court may be grounds for the imposition by the Court of any and all
3 sanctions . . . within the inherent power of the Court.” Accordingly, this action is dismissed, without
4 prejudice, for failure to comply with a court order, and all pending motions are terminated.

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6 IT IS SO ORDERED.

7 Dated: June 26, 2012

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CHIEF UNITED STATES DISTRICT JUDGE