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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MARTIN LOUIS SAIZ,

Plaintiff,

v.

HANFORD POLICE DEPARTMENT, et al.,

Defendants.

Case No. 1:12-CV-00912-AWI-SMS

**FINDINGS AND RECOMMENDATIONS
RECOMMENDING DISMISSAL FOR
FAILURE TO PROSECUTE**

On July 29, 2013, several orders mailed to Plaintiff Martin Louis Saiz were returned to the Clerk of Court as undeliverable following Plaintiff's release from prison. Local Rule 183 provides that "[i]f mail directed to a plaintiff *in propria persona* by the Clerk is returned by the U.S. Postal Service, and if such Plaintiff fails to notify the Court and opposing parties within sixty-three (63) days thereafter of a current address, the Court may dismiss the action without prejudice for failure to prosecute." Plaintiff having failed to advise the Court and opposing parties of a current address for over sixty-three days, the undersigned RECOMMENDS that this action be dismissed for failure to prosecute.

These findings and recommendations are submitted to the Honorable Anthony W. Ishii, United States District Court Judge, pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B) and Rule 72-304 of the Local Rules of Practice for the United States District Court, Eastern District of California. Within thirty (30) days after being served with a copy, Plaintiff may file written objections with the court, serving a copy on all parties. Such a document should be captioned

1 “Objections to Magistrate Judge’s Findings and Recommendations.” The Court will then review the
2 Magistrate Judge’s ruling pursuant to 28 U.S.C. § 636(b)(1)(C). Plaintiff advised that failure to file
3 objections within the specified time may waive the right to appeal the District Court’s order.
4 *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

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6 IT IS SO ORDERED.

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8 DATED: 12/16/2013 /s/ SANDRA M. SNYDER
9 UNITED STATES MAGISTRATE JUDGE

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