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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

ROGER TALANCON,  
Plaintiff,

v.

FRESNO POLICE DEPARTMENT,  
OFFICER W. DENNIS (#1507), and  
OFFICER T. MURAY (#1518),  
Defendants.

Case No. 1:13-CV-01735-LJO-SMS

ORDER DISMISSING CASE WITHOUT  
PREJUDICE FOR  
FAILURE TO PROSECUTE

On November 25, 2013, Plaintiff Roger Talancon, proceeding *pro se* and *in forma pauperis* filed a first amended complaint in this action under 42 U.S.C. § 1983 alleging excessive force in executing an arrest. On December 12, 2013, the Magistrate Judge dismissed Plaintiff's amended complaint with leave to amend. The Clerk of Court served Plaintiff with the court order by mail. On December 30, 2013, the mailed order was returned to the Clerk as undeliverable.

Local Rule 183 provides:

A party appearing *in propria persona* shall keep the Court and opposing parties advised as to his or her current address. If 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.

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1 More than sixty-three (63) days having elapsed since the return of the notice mailed to  
2 Plaintiff and Plaintiff's having failed to advise the Court of his current address, it is hereby  
3 ORDERED that this case be dismissed without prejudice for failure to prosecute.  
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5 IT IS SO ORDERED.

6 Dated: March 5, 2014

/s/ Lawrence J. O'Neill  
7 UNITED STATES DISTRICT JUDGE  
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