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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DUKE MONROE RICHARDSON, JR.,

Plaintiff,

v.

DEPARTMENT OF CORRECTIONS
AND REHABILITATION, et al.,

Defendants.

Case No. 1:14-cv-00031-SKO (PC)

ORDER (1) REQUIRING PLAINTIFF TO
FILE NOTICE OF ADDRESS CHANGE
WITHIN THIRTY DAYS OR ACTION WILL
BE DISMISSED FOR FAILURE TO
PROSECUTE, AND (2) DIRECTING
CLERK'S OFFICE TO SERVE AT TWO
ADDRESSES AS ONE-TIME COURTESY

(Doc. 12)

Plaintiff Duke Monroe Richardson, Jr., a former state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on January 9, 2014. The Court dismissed this case on May 23, 2014, for failure to state a claim. Plaintiff was subsequently released from custody and on that ground, the appellate court vacated the dismissal of Plaintiff's *Heck*-barred due process claim and remanded it for further consideration. *Nonnette v. Small*, 316 F.3d 872, 875-76 (9th Cir. 2002) (*Heck* habeas bar does not preclude section 1983 action once prisoner is released from custody because habeas relief is no longer available). Mandate was issued on April 14, 2015, and the Court has reviewed the record. Plaintiff has not notified the Court of any change in his address and his address of record with the district court remains Mountain Home Conservation Center. Plaintiff has a duty to keep the Court apprised of his current address, and he is required to file a notice of change of address within thirty days. Local Rule 183(b).

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Accordingly, it is HEREBY ORDERED that:

1. Plaintiff is required to file a notice of change of address within **thirty (30) days** from the date of service of this order;
2. If Plaintiff fails to file a notice of change of address in compliance with this order, this action shall be dismissed, without prejudice, for failure to prosecute; and
3. **As a one-time courtesy only**, the Clerk's Office shall serve this order on Plaintiff as his address of record and at:

15919 Bonita Verde Court
Moreno Valley, CA, 92555.

IT IS SO ORDERED.

Dated: April 15, 2015

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE