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

ALEJANDRO GARCIA,
Plaintiff,
v.
PURDY,
Defendant.

) Case No.: 1:14-cv-00999-LJO-SAB (PC)
)
) ORDER DIRECTING DEFENDANTS TO FILE A
) RESPONSE TO PLAINTIFF’S MOTION FOR
) RELIEF FROM JUDGMENT AND NOTICE OF
) CHANGE OF ADDRESS WITHIN 21 DAYS
)
) [ECF No. 52]
)
)
)

Plaintiff Alejandro Garcia is proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(1)(B) and Local Rule 302.

On March 7, 2017, the Court issued an order dismissing this action based on Plaintiff’s failure to prosecute and for violating Local Rule 183(b). (ECF No. 50.) Judgment was entered accordingly that same day. (ECF No. 51.)

On June 21, 2017, Plaintiff filed a notice stating that while he was litigating this action, he was in Centinela State Prison. Now, he is in the Los Angeles County Jail, and contends that he lost his files and case number, and has not responded to his case for the past eight months because of a lack of law library access. Plaintiff further states that he would like to continue with his case.

The Court construes Plaintiff’s notice as a motion for relief from judgment pursuant to Federal Rule of Civil Procedure 60(b). The Court also notes that the docket reflects that several mailings to Plaintiff in this case were returned as undeliverable since October 2016, stating that Plaintiff was inactive or paroled at the time such mailings were sent to him, and no new address had been provided.

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Accordingly, on the basis of good cause, it is HEREBY ORDERED that Defendant Purdy shall file a response to Plaintiff's motion within twenty-one (21) days from the date of service of this order. Defendant's response shall inform the Court of the date that Plaintiff was released from Centinela State Prison, the date of his intake at the Los Angeles County Jail, and any other information that Defendant deems necessary to evaluate Plaintiff's request.

IT IS SO ORDERED.

Dated: July 10, 2017


UNITED STATES MAGISTRATE JUDGE