

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARCUS LAMAR JOHNSON,

Petitioner,

v.

PAUL COPENHAVER,

Respondent.

Case No. 1:14-cv-01672-LJO-SKO HC

**FINDINGS AND RECOMMENDATION
THAT THE COURT DISMISS THE CASE
FOR FAILURE TO PROSECUTE**

Petitioner Marcus Lamar Johnson is a federal prisoner proceeding with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. On July 10, 2017, the copy of an order mailed to Petitioner was returned to the Clerk marked "undeliverable, unable to forward."

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.

Although more than sixty-three (63) days have elapsed from the date of the return of the order mailed to Petitioner, Petitioner has failed to advise the Court of his current address or contacted the Court in any other way. The Court has discretion to impose any and all sanctions

