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

RICHARD B. SPROUT,  
Plaintiff,  
v.  
HO, et al.,  
Defendants.

Case No. 1:14-cv-02089 DLB PC  
**ORDER DISMISSING ACTION  
FOR FAILURE TO PROSECUTE**

Plaintiff Richard B. Sprout (“Plaintiff”) is an inmate in the Stanislaus County Jail proceeding pro se and in forma pauperis in this action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on December 31, 2014.<sup>1</sup>

On October 16, 2015, the Court screened Plaintiff’s First Amended Complaint and ordered him to return service documents within thirty (30) days of the date of service of the order.

On November 6, 2015, Plaintiff’s mail was returned to this Court by the United States Postal Service with a notation, “Undeliverable, RTS: Not deliverable as addressed-Not in custody.”

The Court issued an order to show cause why the action should not be dismissed on January 15, 2016. Plaintiff was ordered to file a response, or notify the Court of his current address, within twenty-one (21) days.

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<sup>1</sup> Plaintiff consented to the jurisdiction of the United States Magistrate Judge on January 16, 2015.



1 Finally, given the Court's inability to communicate with Plaintiff, there are no other  
2 reasonable alternatives available to address Plaintiff's failure to prosecute. In re PPA, 460 F.3d at  
3 1228-29; Carey, 856 F.2d at 1441.

4 Accordingly, the Court HEREBY DISMISSES this action, without prejudice, based on  
5 Plaintiff's failure to prosecute by keeping the Court apprised of his current address. Fed. R. Civ. P.  
6 41(b); Local Rule 183(b).

7  
8 IT IS SO ORDERED.

9 Dated: February 9, 2016

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE