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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL MALDONADO,
Plaintiff,
v.
PADILLA,
Defendant.

No. 1:15-cv-00836-DAD-MJS

ORDER DISMISSING ACTION FOR
FAILURE TO PROVIDE A CURRENT
ADDRESS

Plaintiff Michael Maldonado proceeds *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. The case proceeds on plaintiff’s second amended complaint against defendant Padilla for excessive use of force against plaintiff in violation of the Eighth Amendment. (*See* Doc. No. 11.)

On June 23, 2017, the court issued an order regarding defendant’s motion for an extension of time in which to file a reply in support of his motion for summary judgment. (Doc. No. 64.) A service copy of the order was sent to plaintiff by mail but returned to the court by the U.S. Postal Service as undeliverable with a note that plaintiff had been discharged from CDCR custody. To date, plaintiff has failed to file a notice of change of address with the court.

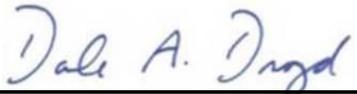
Local Rule 183(b) requires a party proceeding *pro se* to keep the court apprised of his current address: “If mail directed to a plaintiff in propria persona by the Clerk is returned by the U.S. Postal service, and if such plaintiff fails to notify the Court and opposing parties within

1 sixty-three (63) days thereafter of a current address, the Court may dismiss the action without
2 prejudice for failure to prosecute.” Here, more than sixty-three days have passed without plaintiff
3 providing the court with his current address.

4 Accordingly, the action shall be dismissed without prejudice due to plaintiff’s failure to
5 keep the court apprised of his current address. The Clerk of Court is directed to terminate any
6 pending motions and close this case.

7 IT IS SO ORDERED.

8 Dated: October 3, 2017


UNITED STATES DISTRICT JUDGE

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