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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

STEWART MANAGO,
Plaintiff,
vs.
D. DAVEY, et al.,
Defendants.

1:16-cv-00399-LJO-GSA-PC

**ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE DISMISSED FOR
PLAINTIFF'S FAILURE TO
PROSECUTE**

**FOURTEEN-DAY DEADLINE FOR
PLAINTIFF TO FILE A RESPONSE**

I. BACKGROUND

Stewart Manago ("Plaintiff") is a former state prisoner proceeding in propria persona and in forma pauperis with this civil rights action filed pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint commencing this action on March 24, 2016. (ECF No. 1.) This case now proceeds with the First Amended Complaint filed on April 18, 2016, against defendants J. Acevedo, D. Davey, A. Maxfield, E. Razo, M.V. Sexton, A. Valdez, and J. Vanderpoel (collectively, "Defendants"), on Plaintiff's First Amendment retaliation claims. (ECF No. 13.)

On August 4, 2017, Plaintiff's court mail was returned to the court by the United States Postal Service as undeliverable, with a notation on the envelope "VACANT." (Court Record.) Plaintiff has not notified the court of his new address. Plaintiff shall be required to show cause why this case should not be dismissed for his failure to prosecute this action. Local Rule 183(b) requires that a party appearing in propria persona shall keep the court and opposing

1 parties advised of his or her current address. A court may dismiss an action, with prejudice,
2 based on a party's failure to prosecute an action, or failure to comply with local rules. See, e.g.,
3 Ghazali v. Moran, 46 F.3d 52, 53 54 (9th Cir. 1995) (dismissal for noncompliance with local
4 rule); Carey v. King, 856 F.2d 1439, 1440-41 (9th Cir. 1988) (dismissal for failure to comply
5 with local rule requiring pro se plaintiffs to keep court apprised of address); Henderson v.
6 Duncan, 779 F.2d 1421, 1424 (9th Cir. 1986) (dismissal for lack of prosecution and failure to
7 comply with local rules).

8 **II. ORDER TO SHOW CAUSE**

9 Based on the foregoing, **IT IS HEREBY ORDERED** that:

- 10 1. **Within (14) fourteen days** from the date of service of this order, Plaintiff is
11 required to file a written response, showing cause why this case should not be
12 dismissed for Plaintiff's failure to prosecute; and
13 2. Plaintiff's failure to comply with this order may result in the dismissal of this
14 action without further notice.

15
16 **IT IS SO ORDERED.**

17 Dated: August 17, 2017

/s/ Gary S. Austin
18 UNITED STATES MAGISTRATE JUDGE