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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

GARY FOWLER,  
  
Plaintiff,  
  
v.  
  
STEVEN SMITH, et al.,  
  
Defendants.

Case No. 1:16-cv-01401-MJS (PC)

**ORDER DISMISSING ACTION, WITHOUT  
PREJUDICE, FOR FAILURE TO PROVIDE  
A CURRENT ADDRESS**

**CLERK TO TERMINATE PENDING  
MOTIONS AND CLOSE CASE**

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983. All parties have consented to Magistrate Judge jurisdiction. (ECF Nos. 12, 30.)

On June 6 and 7, 2017, Orders issued by the Court and served on the Plaintiff on May 12, 15 and 16, 2017 were returned as undeliverable to Plaintiff. (ECF Nos. 24, 27, 29, respectively.) To date, Plaintiff has not updated his address.

Local Rule 183(b) requires parties proceeding pro se to keep the Court apprised of their 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

1 may dismiss the action without prejudice for failure to prosecute.” Here, more than sixty-  
2 three days have passed without Plaintiff providing the Court with his current address.

3 Accordingly, the action is HEREBY DISMISSED WITHOUT PREJUDICE, based  
4 on Plaintiff’s failure to provide a current address. The Clerk of Court shall terminate any  
5 pending motions and close this case.

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7 IT IS SO ORDERED.

8 Dated: August 18, 2017

/s/ Michael J. Seng  
9 UNITED STATES MAGISTRATE JUDGE

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