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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY L. ROBINSON,
Plaintiff,
v.
A. PETERSON, et al.,
Defendants.

No. 17-cv-01524-DAD-GSA (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. No. 85)

Plaintiff Anthony L. Robinson is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636 (b)(1)(B) and Local Rule 302.

On October 29, 2021, the assigned magistrate judge issued findings and recommendations, recommending that this action be dismissed, without prejudice, due to plaintiff's failure to prosecute. (Doc. No. 85.) The findings and recommendations recommended dismissal in part because the court's most recently issued order was returned by the United States Postal Service to the court marked as undeliverable on August 18, 2021 due to plaintiff's apparent change of address. The pending findings and recommendations were served on plaintiff by mail at his address of record and contained notice that any objections thereto were to be filed within fourteen (14) days from the date of service. (*Id.*) However, on November 8, 2021, the United

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1 States Postal Service returned those findings and recommendations to the court as likewise
2 undeliverable.

3 Plaintiff was required by Local Rule 183 to file a notice of change of address with this
4 court within sixty-three (63) days of the first undeliverable notice and has not done so.

5 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this court has conducted a
6 *de novo* review of the case. Having carefully reviewed the entire file, the court finds the findings
7 and recommendations to be supported by the record and by proper analysis.

8 Accordingly,

- 9 1. The findings and recommendations issued on October 29, 2021 (Doc. No. 85) are
10 adopted in full;
- 11 2. This action is dismissed, without prejudice, due to plaintiff's failure to prosecute
12 and to keep the court apprised of his current mailing address as required; and
- 13 3. The Clerk of the Court is directed to close this case.

14 IT IS SO ORDERED.

15 Dated: December 1, 2021

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18 UNITED STATES DISTRICT JUDGE
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