

1 UNITED STATES DISTRICT COURT  
2 EASTERN DISTRICT OF CALIFORNIA

3  
4 MARTIN J. CORTES,

5 Plaintiff,

6 vs.

7 J.P.MORGAN CHASE BANK, N.A.,

8 Defendant.

Case No. 1:17-cv-01562-LJO-EPG

ORDER DIRECTING PLAINTIFF TO FILE  
A CHANGE OF ADDRESS

ORDER DIRECTING CLERK TO MAIL  
DOCKET ENTRIES TO PLAINTIFF

ORDER DIRECTING DEFENDANT TO RE-  
SERVE MOTION TO DISMISS

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10 Plaintiff Martin J. Cortes, appearing *pro se*, filed a Complaint in Stanislaus County  
11 Superior Court against Defendant J.P.Morgan Chase Bank, N.A. (“Chase”), which has removed  
12 the case to this Court. (ECF No. 1). This case was removed to this Court while Plaintiff was  
13 incarcerated at San Quentin State Prison (“San Quentin”). (ECF No. 1, p. 2 ¶ 5.)

14 On November 21, 2017, the Court issued an Order *inter alia* setting an initial  
15 scheduling conference before the undersigned judge on January 23, 2018 at 10:00 a.m. (ECF  
16 No. 3.) The initial scheduling conference was subsequently continued to March 14, 2018 at  
17 10:00 a.m. (ECF No. 6.) On November 28, 2017, Chase filed a motion to dismiss and noticed  
18 the motion for hearing on January 17, 2018 at 8:30 a.m. before Chief U.S. District Judge  
19 Lawrence J. O’Neill. (ECF No. 5.)

20 On December 13, 2017, the Court received notice that its November 21, 2017 Order  
21 was returned as undeliverable because Plaintiff was discharged from San Quentin State Prison.  
22 On December 19, 2017, Chase filed a “notice of change of address” indicating that Plaintiff  
23 now resided in Modesto, California. (ECF No. 8.)

24 A *pro se* plaintiff must keep the Court and opposing parties informed of the party's  
25 correct current address. Local Rule 182(f).

26 Accordingly, it is hereby ORDERED that:

- 27 1. The Clerk of the Court is directed to serve Plaintiff with a copy of this Order and a  
28 copy of the docket entries at ECF No. 3 (“Civil New Case Documents Issued”) and

1 ECF No. 6 (“Minute Order”) at the following address:<sup>1</sup>

2 2844 Levon Avenue, Unit A, Modesto, CA 95350

- 3 2. If it has not already done so, Chase shall immediately serve a copy of its motion to  
4 dismiss upon Plaintiff at his Modesto address;
- 5 3. Plaintiff is directed to file a notice of change of address within 14 days of receipt of  
6 this Order;
- 7 4. If appropriate, Plaintiff may file a motion requesting a continuance as to any  
8 deadlines or hearings previously set in this case; and
- 9 5. Failure to file a notice of change of address may result in dismissal of this action for  
10 failure to prosecute.

11 IT IS SO ORDERED.

12  
13 Dated: December 26, 2017

14 /s/ Eric P. Gray  
15 UNITED STATES MAGISTRATE JUDGE  
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28 <sup>1</sup> The Clerk of the Court need not update the docket with the new address until Plaintiff files the appropriate notice of change of address.