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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES RAYMOND,
Plaintiff,
v.
WARREN MARTIN,
Defendant.

No. 1:18-cv-00307-DAD-JLT

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
PLAINTIFF JAMES RAYMOND'S CLAIMS
WITHOUT PREJUDICE

(Doc. No. 89)

INGRID CRAWFORD SMITH, et al.,
Plaintiffs,
v.
CITY OF BAKERSFIELD, et al.,
Defendants.

A.J.C.,
Plaintiff,
v.
CITY OF BAKERSFIELD, et al.,
Defendants.

1 On March 5, 2018, plaintiff James Raymond, proceeding *pro se*, filed this civil action
2 alleging that defendants are liable for the wrongful death of his son, Augustus Joshua Crawford.
3 (Doc. No. 1.) This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C.
4 § 636(b)(1)(B) and Local Rule 302.

5 On September 15, 2021, the assigned magistrate judge issued findings and
6 recommendations recommending that “[b]ecause Raymond has failed to comply with the Local
7 Rules and failed to prosecute his claims and has absented himself from this litigation,” plaintiff
8 Raymond’s claims be dismissed without prejudice and that this action proceed only with the
9 claims of the remaining plaintiffs and with James Raymond joined as a nominal defendant. (Doc.
10 No. 89.) Specifically, plaintiff has failed to “keep the court and opposing parties advised as to his
11 [] current address,” as required by Local Rule 183, and since June 2021, all mail sent by the court
12 to plaintiff at his address of record has been returned by the U.S. Postal Service as
13 “Undeliverable: Not Deliverable as Addressed; Unable to Forward.” *See* L.R. 183(b). The
14 pending findings and recommendations were served on the parties and contained notice that any
15 objections thereto were to be filed within fourteen (14) days after service. (Doc. No. 89 at 5.) On
16 October 12, 2021, those findings and recommendations mailed to plaintiff was also returned to
17 the court as “Undeliverable: Not Deliverable as Addressed; Unable to Forward.” To date, no
18 objections to the findings and recommendations have been filed, and the time in which to do so
19 has now passed.

20 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
21 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
22 findings and recommendations are supported by the record and by proper analysis.

23 Accordingly,

- 24 1. The findings and recommendations issued on September 15, 2021 (Doc. No. 89)
25 are adopted in full;
- 26 2. Plaintiff James Raymond’s claims in this action are dismissed without prejudice;

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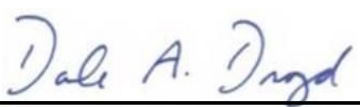
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3. This action proceeds only on the claims of plaintiffs Ingrid Crawford Smith, A.C., and A.J.C., with James Raymond joined as a nominal defendant; and

4. The Clerk of the Court is directed to update the docket to reflect that plaintiff James Raymond has been terminated as a plaintiff in this action.

IT IS SO ORDERED.

Dated: November 6, 2021


UNITED STATES DISTRICT JUDGE