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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	DARNEY RAY WHITE,	No. 1:18-cv-00911-DAD-EPG
12	Plaintiff,	
13	V.	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS AND DISMISSING THIS ACTION
14	DEPUTY LAU, et al.,	
15	Defendants.	(Doc. No. 22)
16		
17	Plaintiff Darney Ray White is appearing pro se and in forma pauperis in this civil rights	
18	action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge	
19	pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.	
20	When plaintiff's original complaint was filed on July 5, 2018, plaintiff was incarcerated in	
21	the Fresno County Jail. (Doc. No. 1.) Plaintiff has not filed a notice of change of address, and	
22	plaintiff's address of record therefore remains Fresno County Jail.	
23	On March 18, 2019, the court adopted the assigned magistrate judge's findings and	
24	recommendations, recommending that this action proceed only on plaintiff's claim of excessive	
25	use of force against defendants Deputy Lao and Deputy Gonzalez. (Doc. No. 21.) The court	
26	served plaintiff by mail at his address of record on March 18, 2019, but that mail was returned to	
27	the court as undeliverable, return to sender – unable to forward, on April 1, 2019. Plaintiff was	
28	required by rule to file a notice of change of address by June 10, 2019, and he did not do so.	

1	Accordingly, on September 11, 2019, the assigned magistrate judge issued findings and	
2	recommendations, recommending this action be dismissed without prejudice due to plaintiff's	
3	failure to prosecute this action. (Doc. No. 22.) Those findings and recommendations were served	
4	on plaintiff by mail at his address of record, but that mail was also returned to the court as	
5	undeliverable, not in custody, on September 11, 2019. Plaintiff was given twenty-one (21) days	
6	in which to file any objections to the pending findings and recommendations. (Id. at 3.) No	
7	objections to the pending findings and recommendations have been filed with the court, and the	
8	time for doing so has expired. Plaintiff has failed to file a notice of change of address as required,	
9	or otherwise communicate with the court regarding this action.	
10	In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a	
11	<i>de novo</i> review of the case. Having carefully reviewed the entire file, the court concludes that the	
12	findings and recommendations are supported by the record and by proper analysis.	
13	Accordingly:	
14	1. The September 11, 2019 findings and recommendations (Doc. No. 22) are adopted	
15	in full;	
16	2. This action is dismissed, without prejudice, due to plaintiff's failure to prosecute	
17	this action; and	
18	3. The Clerk of the Court is directed to close this case.	
19	IT IS SO ORDERED.	
20	Dated: December 11, 2019 Jale A. Dryd	
21	UNITED STATES DISTRICT JUDGE	
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