

1 bail bond. (Decl. of Brian Chan (Chan Decl), Ex. A.) In addition, the Court notes that Plaintiff
2 paroled on March 9, 2021, and is no longer incarcerated in state prison. (Chan Decl. ¶ 4; See
3 California Department of Corrections and Rehabilitation Inmate Locator,
4 <https://inmatelocator.cdcr.ca.gov/> (“Search for Inmate” for “Mark Hunt” and CDCR #F60076). The
5 inmate locator states that there are “no records matching that criteria.”)²

6 A *pro se* Plaintiff must keep the Court and opposing parties informed of his correct address.
7 Local Rules 182(f), 183(b). If a party moves without filing and serving a notice of change of address,
8 documents served at the party's old address of record shall be deemed received even if not actually
9 received. Local Rule 182(f). If mail directed to a *pro se* plaintiff at the address of record is returned by
10 the U.S. Postal Service, and the plaintiff fails to notify the Court of his current address within 63 days
11 thereafter, the Court may dismiss the action for failure to prosecute. Local Rule 183(b).

12 As stated above, Plaintiff was paroled on March 9, 2021, and failed to appear for his criminal
13 court hearing and a warrant was issued. Defendants do not have a current mailing address for
14 Plaintiff, and Plaintiff has not filed any documents in this action since October 19, 2020. (ECF No.
15 58.) Thus, Plaintiff has not filed a change of address with the Court since his release in March, in
16 violation of Local Rules and the Court's First Informational Order. (ECF No. 8.) Based on the above,
17 it appears that Plaintiff has abandoned this action. Whether Plaintiff has done so mistakenly or
18 intentionally after his release from prison is inconsequential. Therefore, Plaintiff will be directed to
19 show cause why the action should not be dismissed.

20 Based on the foregoing, it is HEREBY ORDERED that:

- 21 1. Within **fifteen (15)** days from the date of service of this order, Plaintiff shall show
22 cause in writing why the action should not be dismissed for failure to prosecute and
23 update his address of record; and

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28 ² The Court also takes judicial notice of the California Department of Corrections and Rehabilitation's inmate locator listing for Plaintiff. Fed. R. Evid. 201(b).

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2. Failure to comply with this order will result in a recommendation that the action be dismissed for failure to prosecute and update his address of record.

IT IS SO ORDERED.

Dated: September 27, 2021



UNITED STATES MAGISTRATE JUDGE