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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD R. HANS,

Plaintiff,

v.

U. BANIGA, *Chief Physician and Surgeon
at California Correctional Institution, et
al.*,

Defendants.

No. 1:19-cv-00622-DAD-JLT (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION

(Doc. No. 8)

Plaintiff Richard R. Hans is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action under 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 February 4, 2020, the assigned magistrate judge issued findings and recommendations, recommending that the action be dismissed due to plaintiff’s failure to prosecute and for failure to inform the court of any change in his address of record.¹ (Doc. No. 8.) The findings and

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¹ The magistrate judge issued a screening order on November 1, 2019, requiring plaintiff to file a response within thirty (30) days of service of that order. (Doc. No. 7.) However, that order was returned to the court by the U.S. Postal Service as undeliverable with an indication that plaintiff had been released on parole. The court has not received any filings from plaintiff since his initiation of this action on May 8, 2019.

1 recommendations were served on plaintiff² and contained notice that any objections thereto were
2 to be filed within fourteen (14) days of service. No objections have been filed, and the time in
3 which to do so has now passed.

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

7 Accordingly:

- 8 1. The findings and recommendations issued on February 4, 2020 (Doc. No. 8) are
9 adopted in full;
- 10 2. This action is dismissed without prejudice due to plaintiff's failure to prosecute
11 this action and to keep the court apprised of his address; and
- 12 3. The Clerk of the Court is directed to close this case.

13 IT IS SO ORDERED.

14 Dated: April 27, 2020

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17 UNITED STATES DISTRICT JUDGE

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28 ² Though the findings and recommendations were returned as undeliverable, service of the order
is nonetheless deemed effective under Local Rule 182(f) due to plaintiff's failure to notify the
court of any changes of address.