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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

THOMAS PIKE DOYLE, SR.,
Plaintiff,

No. 1:19-cv-01488-NONE-SKO

v.

ORDER ADOPTING FINDINGS AND
RECOMMENDATION TO DISMISS CASE
FOR FAILURE TO PROSECUTE AND
OBEY THE COURT'S ORDERS

MADERA SUPERIOR COURT, et al.,
Defendants.

(Doc. No. 6)

_____ /

On October 21, 2019, plaintiff, proceeding *pro se*, filed a complaint against defendants, but failed to either pay the filing fee or file a motion to proceed *in forma pauperis*. (See Doc. No. 1.) On October 23, 2019, the assigned magistrate judge directed plaintiff to either pay the filing fee or request to proceed *in forma pauperis* within thirty days of the date of service of the order and warned plaintiff that “[f]ailure to comply . . . will result in a recommendation that this action be dismissed.” (Doc. No. 2.) Plaintiff failed to comply with the order and has not paid the filing fee or requested to proceed *in forma pauperis* to date.

On December 2, 2019, the magistrate judge directed plaintiff to show cause within fourteen days why the case should not be dismissed for his failure to comply with the October 23, 2019 order, and warned plaintiff that if he did not respond to the order, a recommendation would

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1 issue that the action be dismissed. (Doc. No. 3.) Plaintiff failed to respond to the order to show
2 cause by the deadline and has not filed a response to date.¹

3 In accordance with 28 U.S.C. § 636 and Local Rule 302, on March 5, 2020, the assigned
4 magistrate judge issued findings and recommendations recommending that this action be
5 dismissed because Plaintiff failed to comply with the order to show cause, failed to comply with
6 other court orders, and failed to prosecute the case. (Doc. No. 6.) The findings and
7 recommendations were mailed to plaintiff's address on the docket and contained notice that any
8 objections were to be filed within fourteen days. (*Id.*) No objections have been filed.

9 Pursuant to the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a *de novo*
10 review of the case. Having carefully reviewed the entire file, the court finds that the findings and
11 recommendation are supported by the record and proper analysis.

12 ORDER

13 Accordingly, IT IS HEREBY ORDERED that:

- 14 1. The findings and recommendation dated March 5, 2020 (Doc. No. 6), are
15 adopted in full;
- 16 2. This action is dismissed due to plaintiff's failure to prosecute and to comply with
17 court orders; and
- 18 3. The Clerk is directed to close this case.

19
20 IT IS SO ORDERED.

21 Dated: April 13, 2020

22 
23 _____
24 UNITED STATES DISTRICT JUDGE

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27 ¹ The Clerk mailed the December 2, 2019 order to plaintiff, but the order was returned as undeliverable on January
28 10, 2020. (*See* Docket.) On January 8, 2020, plaintiff filed a notice of change of address, and the Clerk updated his
address on the docket to "AZ-7224, North Kern State Prison (5004), P.O. Box 5004, Delano, CA 93216-9022." (*See*
Doc. No. 5.) On January 13, 2020, the Clerk re-served Plaintiff with the order to show cause at his new address, (*see*
Docket), and the deadline to comply with the order has now passed.