

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CHAVIEON LEWIS MOORE,
Plaintiff,
v.
PATRICK EATON, *et al.*,
Defendants.

Case No. 1:21-cv-00892-JLT-CDB (PC)

ORDER ADOPTING FINDINGS AND RECOMMENDATIONS AND DISMISSING ACTION WITHOUT PREJUDICE FOR TO OBEY A COURT ORDER, FAILURE TO COMPLY WITH LOCAL RULES, AND FAILURE TO PROSECUTE

(Doc. 9)

Clerk of Court to close the case.

Chavieon Lewis Moore is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed under 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 6, 2022, the Court entered an order of reassignment. (Doc. 7.) The order was returned as “Undeliverable, Return to Sender, Discharged, Not Deliverable as Addressed, Unable to Forward.” Plaintiff failed to update his address within sixty-three days as required by Local Rule of 183(b) and the Court’s first informational order. L.R. 183(b); (Doc. 3.)

On December 28, 2022, the assigned magistrate judge issued findings and recommendations to dismiss this action without prejudice for failure to obey a court order, failure

1 to comply with the local rules, and failure to prosecute.¹ (Doc. 9.) The Court advised that Plaintiff
2 could file objections to the findings and recommendations within fourteen days. (*Id.*) Plaintiff did
3 not file objections, and the time to do so has passed.

4 According to 28 U.S.C. § 636(b)(1)(C), this Court has conducted a *de novo* review of this
5 case. Having carefully reviewed the entire file, the Court finds the findings and recommendations
6 to be supported by the record and proper analysis. Thus, the Court **ORDERS**:

7 1. The findings and recommendations issued on December 28, 2022, (Doc. 9), are
8 adopted in full;
9 2. This action is DISMISSED WITHOUT PREJUDICE for failure to obey a court
10 order, failure to comply with the local rules, and failure to prosecute; and
11 3. The Clerk of the Court is directed to close this case.

12 IT IS SO ORDERED.

13 Dated: January 18, 2023


UNITED STATES DISTRICT JUDGE

27 ¹ The findings and recommendations were also returned as “Undeliverable, Refused – Unable to
28 Forward.” Pursuant to Local Rule 182(f), if a *pro se* party fails to notify the court of a change of address,
“service of documents at the prior address [of record] of the . . . party shall be fully effective.” L.R. 182(f).