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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT LAWRENCE,

 Plaintiff,

 v.

WELLS FARGO BANK, N.A., et al.,

 Defendant.

No. 1:21-cv-01224-DAD-EPG

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
ACTION DUE TO PLAINTIFF’S FAILURE
TO PROSECUTE AND OBEY A COURT
ORDER

(Doc. Nos. 5, 25)

Plaintiff Robert Lawrence, proceeding *pro se*, initiated this civil action in the Tulare County Superior Court on February 18, 2021, and defendant Wells Fargo Bank, N.A. removed this action on August 12, 2021. (Doc. No. 1.) 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 July 19, 2022, the assigned magistrate judge issued findings and recommendations recommending this action be dismissed, without prejudice, due to plaintiff’s failure to prosecute this action and failure to obey a court order. (Doc. No. 25.) In particular, on June 13, 2022, the court had issued an order requiring plaintiff to show cause why this action should not be dismissed due to his failure to prosecute, explaining that “[t]his case cannot proceed without Plaintiff’s participation” and warning that “[i]f Plaintiff does not indicate that he plans to go forward with and participate in this case, the Court will issue a recommendation that the case be

1 dismissed without prejudice.” (Doc. No. 24 at 1–2.) Plaintiff did not respond to that order to
2 show cause. Accordingly, the magistrate judge issued the pending findings and
3 recommendations, which were served on the parties and contained notice that any objections
4 thereto were to be filed within fourteen (14) days after service. (Doc. No. 25 at 3.) On July 29,
5 2022, the service copy of those findings and recommendations, which had been served by mail on
6 plaintiff at his address of record, was returned to the court as “Undeliverable, Return to Sender,
7 Not Deliverable as Addressed, Unable to Forward.” To date, no objections to the findings and
8 recommendations have been filed, and the time in which to do so has now passed. Plaintiff has
9 also not otherwise communicated with the court.

10 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
11 *de novo* 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 findings and recommendations issued on July 19, 2022 (Doc. No. 25) are
15 adopted in full;
- 16 2. This action is dismissed, without prejudice, due to plaintiff’s failure to prosecute
17 this action and failure to obey a court order;
- 18 3. The pending motion to dismiss filed by defendant Wells Fargo Bank, N.A. (Doc.
19 No. 5) is terminated as having been rendered moot by this order; and
- 20 4. The Clerk of the Court is directed to close this case.

21 IT IS SO ORDERED.

22 Dated: August 3, 2022

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25 UNITED STATES DISTRICT JUDGE
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