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8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
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11	THOMAS ALFRED USHER,	Case No. 1:22-cv-00023-ADA-SKO (PC)
12	Plaintiff,	ORDER ADOPTING FINDINGS AND
13	v.	RECOMMENDATIONS TO DISMISS ACTION WITHOUT PREJUDICE FOR
14	SOSA, Deputy Officer at Kern County Sheriff's Office,	PLAINTIFF'S FAILURE TO OBEY COURT ORDERS AND FAILURE TO PROSECUTE
15	Defendant.	(ECF No. 8)
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17	Plaintiff Thomas Alfred Usher ("Plaintiff") is a pretrial detainee proceeding pro se and in	
18	forma pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was	
19	referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule	
20	302.	
21	On April 25, 2023, the Magistrate Judge issued findings and recommendations, finding that	
22	Plaintiff failed to obey the Court's orders and failed to prosecute this action. (ECF No. 8.)	
23	Specifically, the Magistrate Judge found that Plaintiff had failed to respond to the Court's First	
24	Screening Order issued February 16, 2023, and the Order to Show Cause (OSC) issued March 28,	
25	2023. (See ECF Nos. 5, 6.) Furthermore, Plaintiff has failed to keep the Court apprised of his	
26	current and correct address. (ECF No. 8 at 2-4.) Therefore, the Magistrate Judge recommends that	
27	the action be dismissed without prejudice. (Id. at 4.) Plaintiff had the opportunity to file objections	
28	within fourteen days but has not filed any objections.	

1	On May 3, 2023, the findings and recommendations were returned to the Court by the	
	On May 3, 2023, the findings and recommendations were returned to the Court by the	
2	United States Postal Service. The envelope was marked "Undeliverable," "RTS," "Refused" and	
3	"Unable to Forward." (See Docket Entry dated 05/03/2023.) <sup>1</sup>	
4	In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a	
5	de novo review of this case. Having carefully reviewed the file, the Court finds the findings and	
6	recommendations to be supported by the record and proper analysis.	
7	Accordingly,	
8	1. The Findings and Recommendations issued April 25, 2023, (ECF No. 8), are	
9	ADOPTED in full;	
10	2. This action is DISMISSED without prejudice; and	
11	3. The Clerk of the Court is directed to close this case.	
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14	IT IS SO ORDERED.	
15	Dated: June 30, 2023	
16	UNITED STATES DISTRICT JUDGE	
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27	<sup>1</sup> Both the First Screening Order and the OSC were also returned by the postal service. ( <i>See</i> Docket Entries	
28	dated 02/24/2023 & 04/10/2023.)	