1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 11 SHILOH HEAVENLY QUINE, No. 1:24-cv-00797-KES-BAM (PC) 12 Plaintiff. ORDER ADOPTING FINDINGS AND RECOMMENDATIONS TO DISMISS 13 ACTION FOR FAILURE TO PROSECUTE v. 14 DE LA CRUZ, Doc. 17 15 Defendant. 16 17 Plaintiff Shiloh Heavenly Quine is a county jail inmate and former state prisoner 18 proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. 19 On October 9, 2024, the assigned magistrate judge issued an order denying plaintiff's 20 motion to provide case file to future counsel as moot. Doc. 16. On October 21, 2024, that order 21 was returned as "Undeliverable, Return to Sender, Refused, Unable to Forward." See Docket. 22 Plaintiff's notice of change of address was therefore due on or before December 23, 2024. Local Rule 183(b). Plaintiff did not file a notice of change of address or otherwise communicate with 23 the Court. See Docket. 24 Accordingly, on January 3, 2025, the assigned magistrate judge issued findings and 25 26 recommendations recommending dismissal of this action, without prejudice, for plaintiff's failure 27 to prosecute. Doc. 17. The findings and recommendations were served on plaintiff and contained 28 notice that any objections thereto were to be filed within fourteen days after service. *Id.* Plaintiff

1 did not file any objections, and the deadline to do so has passed. To date, plaintiff has not 2 otherwise communicated with the Court or updated her address. See Docket. 3 In accordance with the provisions of 28 U.S.C. § 636(b)(1), this Court has conducted a de 4 novo review of the case. Having carefully reviewed the file, the Court concludes that the findings 5 and recommendations are supported by the record and proper analysis. 6 Accordingly, IT IS HEREBY ORDERED: 7 1. The findings and recommendations issued on January 3, 2025, Doc. 17, are adopted in 8 full; 9 2. This action is dismissed, without prejudice, for plaintiff's failure to prosecute; and 10 3. The Clerk of the Court is directed to close this case. 11 12 IT IS SO ORDERED. 13 14 Dated: January 28, 2025 UNITED STATES DISTRICT JUDGE 15 16 17 18 19 20 21 22 23 24 <sup>1</sup> The findings and recommendations were also returned as "Undeliverable, Attempted, Not 25 Known, Unable to Forward" on January 13, 2025. Though the findings and recommendations were returned to the Court as undeliverable, they were properly served on plaintiff. See Local 26 Rule 182(f) ("Each appearing attorney and pro se party is under a continuing duty to notify the Clerk and all other parties of any change of address or telephone number of the attorney or the 27

pro se party. Absent such notice, service of documents at the prior address of the attorney or pro

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se party shall be fully effective.").