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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NASARIO RODRIGUEZ,

Plaintiff,

No. CIV S-06-0321 FCD GGH P

vs.

DIXON, et al.,

Defendants.

FINDINGS & RECOMMENDATIONS

_____ /

A recent court order was served on plaintiff's address of record and returned by the postal service. It appears that plaintiff has failed to comply with Local Rule 83-182(f), which requires that a party appearing in propria persona inform the court of any address change. Because, however, as noted in the Order, filed on 1/22/09 (Docket # 6), an error in processing by the Clerk's Office caused a significant delay in the screening of this case, the undersigned authorized his staff to contact CDCR staff at the state prison inmate locator telephone line and was informed that plaintiff had discharged as of 2/21/08. No information as to a current address could be provided.

Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed for plaintiff's failure to keep the court apprised of his current address. See Local Rules 83-182(f) and 11-110.

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These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty days after being served with these findings and recommendations, plaintiff may file written objections with the court. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

DATED: February 10, 2009

/s/ Gregory G. Hollows

GREGORY G. HOLLOWS
UNITED STATES MAGISTRATE JUDGE

GGH:009/md
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