UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEONARD TURNER, Plaintiff, vs. RODGERS, Defendant.	Case No. 2:08-cv-01296-PMP-GWF **FINDINGS & RECOMMENDATIONS**

On March 2, 2010, the Court dismissed Plaintiff's Amended Civil Rights Complaint (Dkt. #34) without prejudice based on Plaintiff's failure to provide the Court with a current address within 60 days of relocation as required by Local Rule 83-183(b)-2. (Dkt. #36). The Court granted Plaintiff until April 1, 2010 to file a second amended complaint and inform the Court of his current address. In addition, the Court notified Plaintiff that failure to comply with this Order will result in the recommendation that this action be dismissed with prejudice. To date, Plaintiff has failed to file a second amended complaint and failed to provide the Court with his current address. Accordingly,

IT IS HEREBY RECOMMENDED that Plaintiff's Amended Civil Rights Complaint (Dkt. #34) should be **dismissed with prejudice** based on Plaintiff's failure to file a second amended complaint in compliance with the Court's prior order (Dkt. #36) and failure to timely inform the Court and Defendants of his current address in compliance with Local Rule 83-183(b)-2.

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NOTICE

These Findings and Recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(l). Within twenty (20) days after being served with these Findings and Recommendations, plaintiff may file written objections with the court. Such a 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 this 19th day of April, 2010.

GEORGE FOLEY, JR.
UNITED STATES MAGISTRATE JUDGE