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

RICHARD HEUSER,

Plaintiff,

No. CIV S-09-1005 DAD P

vs.

BERTSCH, et al.,

Defendants.

ORDER AND

FINDINGS AND RECOMMENDATIONS

_____ /

A recent court order was served on plaintiff's address of record and returned as undeliverable because plaintiff is no longer in custody at the Solano County Jail. It appears that plaintiff has failed to comply with Local Rule 182(f), which requires that a party appearing in propria persona inform the court of any address change.

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court is directed to randomly assign a District Judge to this action.

Also, 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 182(f) and 110.

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

1 days after being served with these findings and recommendations, plaintiff may file written
2 objections with the court. The document should be captioned "Objections to Magistrate Judge's
3 Findings and Recommendations." Plaintiff is advised that failure to file objections within the
4 specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951
5 F.2d 1153 (9th Cir. 1991).

6 DATED: December 11, 2009.

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9 _____
10 DALE A. DROZD
11 UNITED STATES MAGISTRATE JUDGE

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11 heus1005.fca

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