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

ALICIA B. JACKSON,

Plaintiff,

No. CIV S-09-1387 JAM DAD PS

v.

BOARD OF EQUALIZATION,

ORDER

Defendant.

_____ /

Plaintiff is proceeding pro se with the above-entitled civil rights action. The matter was referred to a United States Magistrate Judge pursuant to Local Rule 302(c)(21).

On August 26, 2011, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days after service of the findings and recommendations. The fourteen-day period has expired, and no party has filed objections to the findings and recommendations.

Although it appears from the file that plaintiff’s copy of the findings and recommendations was returned to the court on September 14, 2011 marked “Undeliverable, moved,” plaintiff was properly served with the findings and recommendations. It is plaintiff’s responsibility to keep the court apprised of her current address at all times. See Local Rule

1 183(b). Absent notice of a party's change of address, service of documents at the prior address of
2 the party is fully effective.¹ Local Rule 182(f).

3 The court has reviewed the file and finds the findings and recommendations to be
4 supported by the record and by the magistrate judge's analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

6 1. The findings and recommendations filed August 26, 2011 (Doc. No. 38) are
7 adopted in full;

8 2. Defendant's November 19, 2010 amended Rule 12(b)(6) motion to dismiss
9 plaintiff's second amended complaint (Doc. No. 33) is denied as to:

10 (1) plaintiff's claim that defendant discriminated against her by failing to hire her
11 for the open BOE Office Technician positions in July of 2007 and September of
12 2007, and

13 (2) plaintiff's claim that defendant retaliated against her for filing a discrimination
14 complaint by failing to hire her for the open BOE Office Technician positions in
15 July of 2007 and September of 2007,

16 but is granted in all other respects;

17 3. Defendant's November 19, 2010 Rule 12(f) motion to strike and Rule 12(e)
18 motion for more definite statement (Doc. No. 33) are denied; and

19 4. This action will proceed on the claims specified in this order.

20 DATED: September 28, 2011

21 /s/ John A. Mendez
22 U. S. DISTRICT COURT JUDGE

23
24
25 ¹ Furthermore, if mail directed to a pro se plaintiff is returned by the U.S. Postal Service,
26 and if the plaintiff fails to notify the court within sixty-three days thereafter of a current address,
the court may dismiss the action without prejudice for failure to prosecute. Local Rule 183(b).