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

EDWARD A. BATTISTE,

Plaintiff,

No. CIV S-09-3511 GGH P

vs.

WARDEN JAMES WALKER, et al.,

Defendant.

ORDER AND

FINDINGS & RECOMMENDATIONS

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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 182(f), which requires that a party appearing in propria persona inform the court of any address change.

IT IS HEREBY ORDERED that the Clerk of the Court shall randomly assign a United States District Judge to this case; and

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 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 fourteen days after being served with these findings and recommendations, plaintiff may file written

1 objections with the court. The document should be captioned “Objections to Magistrate Judge’s  
2 Findings and Recommendations.” Any response to the objections shall be filed and served  
3 within fourteen days after service of the objections. Plaintiff is advised that failure to file  
4 objections within the specified time may waive the right to appeal the District Court’s order.  
5 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

6 DATED: October 22, 2010

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8 /s/ Gregory G. Hollows

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GREGORY G. HOLLOWS  
11 UNITED STATES MAGISTRATE JUDGE

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