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

ROBERT LOUIS WATKINS,

Plaintiff,

No. CIV S-10-0620 LKK DAD PS

v.

JAMIE POPE, et al.,

ORDER

Defendants.

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Plaintiff is proceeding pro se with a civil rights complaint against the California Public Employees Retirement System and an individual named Jamie Pope. On May 17, 2011, the court served upon plaintiff an order granting his motion to proceed in forma pauperis and dismissing plaintiff's complaint with thirty days' leave to amend. (Doc. No. 7.) On May 27, 2011, plaintiff's copy of the May 17, 2011 order was returned to the court by the postal service marked "Undeliverable, RTS - Not deliverable as addressed, unable to forward."

On June 1, 2011, the undersigned issued findings and recommendations recommending that this action be dismissed without prejudice due to plaintiff's failure to keep the court apprised of his current address and his failure to comply with applicable rules and court orders. (Doc. No. 8.) On June 10, 2011 plaintiff provided the court with his current address and the Clerk of the Court served plaintiff with a copy of the June 1, 2011 findings and

1 recommendations. (Doc. No. 9.) On June 14, 2011, plaintiff filed objections to the June 1, 2011  
2 findings and recommendations arguing that this matter should not be closed because he has now  
3 updated his address. (Doc. No. 10.)

4 Plaintiff is again advised that Local Rule 182 requires every party, including any  
5 party proceeding in propria persona, to notify the court and all other parties of any change of  
6 address. Local Rule 182(f). “Absent such notice, service of documents at the prior address of  
7 the attorney or pro se party shall be fully effective.” Id. Failure to comply with the court’s rules  
8 or with any order of the court may be grounds for imposition by the court of any and all sanctions  
9 authorized by statute or rule or within the inherent power of the court. Local Rule 110.

10 Nonetheless, the undersigned will vacate the June 1, 2011 findings and  
11 recommendations, direct the Clerk of the Court to serve plaintiff with a copy of the May 17, 2011  
12 order at his current address and grant plaintiff thirty days to file an amended complaint.

13 Accordingly, IT IS HEREBY ORDERED that:

- 14 1. The findings and recommendations filed June 1, 2011 (Doc. No. 8) are  
15 vacated;
- 16 2. The Clerk of the Court is directed to serve a copy of the May 17, 2011 order  
17 (Doc. No. 7) on plaintiff at his current address of record together with a copy of this order;
- 18 3. Within thirty (30) days from the date of this order, an amended complaint shall  
19 be filed that cures the defects noted in the May 17, 2011 order and complies with the Federal  
20 Rules of Civil Procedure and the Local Rules of Practice. The amended complaint must bear the  
21 case number assigned to this action and must be titled “Amended Complaint”;
- 22 4. Failure to respond to this order in a timely manner may result in a  
23 recommendation that this action be dismissed.

24 DATED: June 18, 2011.

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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE