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

KENNETH SMITH,

Plaintiff,

No. CIV S-10-1618 JAM DAD PS

v.

SACRAMENTO COURT DIVISION
720 9TH ST. MAGISTRATE JUDGE,

FINDINGS AND RECOMMENDATIONS

Defendant.

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On June 25, 2010, plaintiff, proceeding pro se, filed a civil rights complaint against the Sacramento County Superior Court. Although the complaint was filed on the form to be used by a prisoner in filing a complaint under the Civil Rights Act, plaintiff indicates on his in forma pauperis application that he is not incarcerated. On June 25, 2010, the Clerk of the Court served upon plaintiff at his address of record a set of new case documents, including an order requiring plaintiff to complete and return within 30 days a form re consent or request for reassignment. (Doc. No. 3.) The court’s records reflect that on July 13, 2010, the documents were returned to the court by the postal service marked “undeliverable, unable to forward.”

It appears that plaintiff has failed to comply with Local Rule 182, which requires every party, including any party proceeding in propria persona, to notify the court and all other parties of any change of address. Local Rule 182(f). “Absent such notice, service of documents

1 at the prior address of the attorney or pro se party shall be fully effective.” Id. Failure to comply
2 with the court’s rules or with any order of the court may be grounds for imposition by the court
3 of any and all sanctions authorized by statute or rule or within the inherent power of the court.
4 Local Rule 110.

5 Good cause appearing, IT IS RECOMMENDED that this action be dismissed
6 without prejudice due to plaintiff’s failure to keep the court apprised of his current address and
7 his failure to comply with applicable rules and court orders.

8 These findings and recommendations will be submitted to the United States
9 District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within
10 twenty-one days after being served with these findings and recommendations, plaintiff may file
11 and serve written objections with the court. A document containing objections should be titled
12 “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff’s failure to file
13 objections within the specified time may waive the right to appeal the District Court’s order
14 regarding the findings and recommendations. See Martinez v. Ylst, 951 F.2d 1153 (9th Cir.
15 1991).

16 DATED: July 19, 2010.

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DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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