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

ANTHONY HAMLET,

Plaintiff,

No. CIV S-10-1629 EFB P

vs.

CDCR, et al.,

Defendants.

ORDER AND
FINDINGS AND RECOMMENDATIONS

_____/

On July 20, 2010, the court found that plaintiff had failed to file a complaint, and had neither paid the filing fee nor filed an application for leave to proceed in forma pauperis. The court ordered plaintiff to, within 30 days, file a complaint and either pay the filing fee or submit the application for leave to proceed in forma pauperis, and warned him that failure to do so would result in a recommendation that this action be dismissed.

The 30-day period has expired and plaintiff has not complied with or otherwise responded to that order.¹

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¹ Although it appears from the file that plaintiff's copy of the order was returned, plaintiff was properly served. It is the plaintiff's responsibility to keep the court apprised of his current address at all times. Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective

1 Accordingly, it is hereby ORDERED that the Clerk randomly assign a United States
2 District Judge to this case.

3 Further, it is RECOMMENDED that this action be dismissed without prejudice.

4 These findings and recommendations are submitted to the United States District Judge
5 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
6 after being served with these findings and recommendations, any party may file written
7 objections with the court and serve a copy on all parties. Such a document should be captioned
8 “Objections to Magistrate Judge’s Findings and Recommendations.” Failure to file objections
9 within the specified time may waive the right to appeal the District Court’s order. *Turner v.*
10 *Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

11 Dated: August 30, 2010.

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13 EDMUND F. BRENNAN
14 UNITED STATES MAGISTRATE JUDGE
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