

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

SHAWN L. RANDOLPH,
Plaintiff,

vs.

No. CIV S-11-0028 GEB GGH PS

FEDEX - FEDERAL EXPRESS
CORPORATION,

Defendant.

ORDER

Defendant’s motion to dismiss presently is calendared for hearing on March 22, 2012. The record reflects no proof of service of the motion. Although plaintiff filed a notice of change of address of record on February 15, 2012, plaintiff did so five days before defendant filed its motion to dismiss. Not only is there no certificate of service on plaintiff at the current address of record, there is no proof of service on plaintiff at the former address of record.

Accordingly, IT IS ORDERED that: defendant’s motion to dismiss, filed February 20, 2012, is vacated from the calendar for March 22, 2012, without prejudice to its refile on proper notice and service.

DATED: March 19, 2012

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE

GGH:076:Randolph0028.vac.wpd