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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEO B. TURNER, Jr.,  
Plaintiff,  
v.  
R. COLON, et al.,  
Defendants.

No. 2:11-cv-2343 KJM AC P

ORDER

Three recent orders of this court, served on plaintiff at his address of record, were returned by the postal service as “undeliverable.” It appears that plaintiff has failed to comply with Local Rule 183(b), which requires that a party appearing in propria persona inform the court of any address change. The court notes that plaintiff previously provided a parole address of 1301 Yosemite Parkway, Merced CA 95340. ECF Nos. 118, 121. Plaintiff’s subsequent filings bore a different street address, 181 East 16th Street #9, Merced CA 95340. ECF Nos. 132, 133. Mail delivered to the second address was returned on October 14, 2014, and October 28, 2014. The court’s review of the Inmate Locator website operated by the California Department of Corrections and Rehabilitation (CDCR) indicates that plaintiff may again be incarcerated, at California State Prison, Solano.<sup>1</sup>

<sup>1</sup> See <http://inmatelocator.cdcr.ca.gov/>. This Court may take judicial notice of facts that are (continued...)

1 Because more than sixty-three days have passed since the court's orders were returned,  
2 and plaintiff has failed to notify the court of his current address, the court is authorized to dismiss  
3 this action without prejudice. See Local Rule 183(b).<sup>2</sup> Nevertheless, plaintiff will be accorded  
4 one additional opportunity to inform the court of his current address of record, and his intent to  
5 proceed with the instant action. The court will serve a copy of this order on plaintiff at each of  
6 the above-noted addresses.

7 Accordingly, IT IS HEREBY ORDERED that:

8 1. Plaintiff shall, within thirty days after the filing date of this order, inform the court of  
9 his current address of record, and a statement of intent to proceed with this action.

10 2. Failure of plaintiff to timely comply with this order will result in the dismissal of this  
11 action without prejudice.

12 3. The Clerk of Court is directed to serve a copy of this order on plaintiff at each of the  
13 following addresses:

14 1301 Yosemite Parkway  
15 Merced CA 95340.

16 181 East 16th Street #9  
17 Merced CA 95340.

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22 capable of accurate determination by sources whose accuracy cannot reasonably be questioned.  
23 Fed. R. Evid. 201; see also City of Sausalito v. O'Neill, 386 F.3d 1186, 1224 n.2 (9th Cir. 2004)  
24 (“We may take judicial notice of a record of a state agency not subject to reasonable dispute.”).

<sup>2</sup> Local Rule 183(b) provides:


25 A party appearing in propria persona shall keep the Court and  
26 opposing parties advised as to his or her current address. If mail  
27 directed to a plaintiff in propria persona by the Clerk is returned by  
28 the U.S. Postal Service, and if such plaintiff fails to notify the Court  
and opposing parties within sixty-three (63) days thereafter of a  
current address, the Court may dismiss the action without prejudice  
for failure to prosecute.

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California State Prison, Solano  
P.O. Box 4000  
Vacaville CA 95696-4000

SO ORDERED.

DATED: January 15, 2015

  
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ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE