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

PAUL N. SPOHN,

Plaintiff,

No. 2:12-cv-0565 KJM CKD P

vs.

TRINITY COUNTY DISTRICT  
ATTORNEY'S OFFICE, et al.,

Defendants.

FINDINGS & RECOMMENDATIONS

\_\_\_\_\_/

By order filed January 31, 2012, plaintiff was directed to file a Second Amended Complaint on or before February 19, 2013. That period has now expired, and plaintiff has not filed an amended complaint or otherwise responded to the court's order.

Although it appears from the file that plaintiff's copy of the January 19, 2013 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.

Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

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These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, plaintiff may file written objections with the court. The document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court's order. *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

Dated: March 5, 2013

  
CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

<sup>2</sup>  
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