1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 MARK WEBSTER, No. 2:12-cv-2971-KJM-EFB P 12 Plaintiff. 13 FINDINGS AND RECOMMENDATIONS v. 14 J. WINDSORE, et al., 15 Defendants. 16 17 Plaintiff is a former state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. On October 16, 2013, the postal service returned documents directed to 18 19 plaintiff as "undeliverable, not deliverable as addressed." A party appearing without counsel 20 must keep the court and all parties apprised of his current address. L.R. 183(b). If mail directed 21 to a plaintiff is returned by the postal service and plaintiff fails to notify the court and opposing 22 parties within 63 days thereafter of her current address, the court may dismiss the action without 23 prejudice for failure to prosecute. *Id.* More than 63 days have passed since the postal service 24 returned the mail and plaintiff has not notified the court of his current address. 25 Accordingly, it is hereby RECOMMENDED that this action be dismissed. See Fed. R. 26 Civ. P. 41(b); L.R. 110, 183(b). 27 These findings and recommendations are submitted to the United States District Judge 28 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within fourteen days 1

1	after being served with these findings and recommendations, any party may file written
2	objections with the court and serve a copy on all parties. Such a document should be captioned
3	"Objections to Magistrate Judge's Findings and Recommendations." Failure to file objections
4	within the specified time may waive the right to appeal the District Court's order. <i>Turner v</i> .
5	Duncan, 158 F.3d 449, 455 (9th Cir. 1998); Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).
6	Dated: December 19, 2013.
7	Elmund F. Biema
8	EDMUND F. BRENNAN
9	UNITED STATES MAGISTRATE JUDGE
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