1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA 8 9 10 KEITH JUDD, No. 2:13-cv-0537 KJM AC (PS) 11 Plaintiff, 12 FINDINGS & RECOMMENDATIONS v. 13 BARACK OBAMA, et al., 14 Defendants. 15 16 Plaintiff, proceeding pro se, has for the third time failed to comply with the court's orders that he file a statement with the court affirming that he has submitted the required service 17 18 documents to the United States Marshal. 19 On May 23, 2013, plaintiff was ordered to file the statement within 21 days. See ECF 20 No. 3 ¶ 5. Plaintiff requested and received an extension of time, and was ordered to file the 21 statement no later than September 20, 2013. See ECF No. 8. When this order was returned as 22 "undeliverable," and no forwarding address was supplied, the court recommended that the action 23 be dismissed for failure to prosecute. ECF No. 9. After plaintiff supplied a new address, the 24 court vacated the dismissal recommendation and ordered plaintiff to file the statement no later 25 than September 19, 2014. ECF No. 11. On September 2, 2014, plaintiff notified the court of 26 another change of address (ECF No. 12), but to date, he still has not filed the required statement. 27 Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without 28 prejudice for failure to prosecute. See Local Rule 183(b). 1

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, any party may file written objections with the court and serve a copy on all parties. Such a document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." Any response to the objections shall be filed and served within fourteen days after service of the objections. The parties are 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: June 4, 2015 allen Clane UNITED STATES MAGISTRATE JUDGE