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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LARRY E. TOMBS,  
Plaintiff,  
v.  
WARDEN RON RACKLEY, et al.,  
Defendants.

No. 2:13-cv-1341 JAM KJN P

FINDINGS AND RECOMMENDATIONS

By order filed April 21, 2014, plaintiff's amended complaint was dismissed and thirty days leave to file a second amended complaint was granted. On June 26, 2014, plaintiff was granted an additional thirty days in which to file a second amended complaint. Such thirty day period has now expired, and plaintiff has not filed a second amended complaint or otherwise responded to the court's order.

Although it appears from the file that plaintiff's copy of the 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.

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

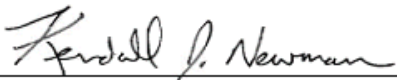
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These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen after being served with these findings and recommendations, plaintiff may 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 waives the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: August 5, 2014

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KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE