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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES EDWARD TRUSCHKE, Jr.,  
Petitioner,  
v.  
DANIEL E. FLYNN, et al.,  
Respondents.

No. 2:14-cv-0778 KJN P  
ORDER and  
FINDINGS AND RECOMMENDATIONS

Recent new case documents were served on petitioner’s address of record and returned by the postal service. It appears that petitioner has failed to comply with Local Rules 182(f) and 183(b), which require that a party appearing in propria persona inform the court of any address change. Failure to comply with these rules within sixty-three days authorizes dismissal of the action without prejudice for failure to prosecute. See Local Rule 183(b). More than sixty-three days have passed since the court’s order was returned by the postal service, and petitioner has still failed to notify the Court of a current address.

Accordingly, IT IS HEREBY ORDERED that the Clerk of Court shall randomly assign a district judge to this action.

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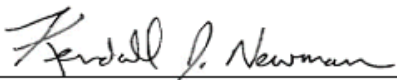
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Further, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See Local Rule 183(b).

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 and serve a copy on all parties. Such a 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: June 12, 2014

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KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE