1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA 8 9 10 LA VANCE McNAIR, No. 2:14-cv-1043 DB P 11 Plaintiff, 12 ORDER AND FINDINGS & v. **RECOMMENDATIONS** 13 L. LIVELY, et al., 14 Defendants. 15 16 A recent court order was served on plaintiff's address of record and returned by the postal 17 service. It appears that plaintiff has failed to comply with Local Rule 183(b), which requires that 18 a party appearing in propria persona inform the court of any address change. More than sixty-19 three days have passed since the court order was returned by the postal service and plaintiff has 20 failed to notify the Court of a current address. 21 Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court randomly assign a 22 District Judge to this action; and 23 IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice for 24 failure to prosecute. See Local Rule 183(b). 25 These findings and recommendations are submitted to the United States District Judge 26 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within fourteen days 27 after being served with these findings and recommendations, plaintiff may file written objections 28 with the court. The document should be captioned "Objections to Magistrate Judge's Findings 1

1	and Recommendations." Any response to the objections shall be filed and served within fourteen
2	days after service of the objections. Plaintiff is advised that failure to file objections within the
3	specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951
4	F.2d 1153 (9th Cir. 1991).
5	Dated: November 1, 2016
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7	(Cuoted)
8	DEBORAH BARNES UNITED STATES MAGISTRATE JUDGE
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