UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

SEAN LOUIS ROWELL,

Plaintiff,

v.

L.D. ZAMORA, et al.,

Defendants.

No. 2:14-cv-1888-KJM-EFB P

FINDINGS AND RECOMMENDATIONS

Plaintiff is a former state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. On January 25, 2019, the postal service returned documents directed to plaintiff as "undeliverable." On February 6, 2019, defendants notified the court that plaintiff had been paroled, but had not updated his address. ECF No. 102. Therefore, on February 13, 2019, the court ordered plaintiff to file a notice of change of address no later than March 29, 2019. ECF No. 104. Plaintiff has not filed a notice of change of address or otherwise responded to the court's order.

A party appearing without counsel must keep the court and all parties apprised of his current address. L.R. 183(b). If mail directed to a plaintiff is returned by the postal service and plaintiff fails to notify the court and opposing parties within 63 days thereafter of his current address, the court may dismiss the action without prejudice for failure to prosecute. *Id.* More than 63 days have passed since the postal service returned the mail and plaintiff has not notified

the court of his current address. In addition, plaintiff did not respond to the court's order directing him to file a notice of change of address no later than March 29, 2018.

Accordingly, it is RECOMMENDED that this action be dismissed. *See* Fed. R. Civ. P. 41(b); L.R. 110, 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)(l). 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." Failure to file objections within the specified time may waive the right to appeal the District Court's order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

Dated: April 9, 2019.

EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE