1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 EUGENIA PREE, No. 2:14-cv-2107-EFB P 12 Plaintiff. 13 ORDER AND FINDINGS AND v. RECOMMENDATIONS 14 SOLANO COUNTY POLICE DEPT., et al., 15 Defendants. 16 17 Plaintiff is a county inmate proceeding without counsel in a civil action. On September 18 19 30, 2014, the postal service returned documents directed to plaintiff as "undeliverable, not in 20 custody." A party appearing without counsel must keep the court and all parties apprised of his 21 current address. L.R. 183(b). If mail directed to a plaintiff is returned by the postal service and 22 plaintiff fails to notify the court and opposing parties within 63 days thereafter of her current 23 address, the court may dismiss the action without prejudice for failure to prosecute. *Id.* More 24 than 63 days have passed since the postal service returned the mail and plaintiff has not notified 25 the court of his current address. 26 Accordingly, it is hereby ORDERED that the Clerk of the Court randomly assign a United 27 States District Judge to this case. 28 ///// 1

Further, IT IS HEREBY RECOMMENDED that this action be dismissed. See Fed. R. Civ. P. 41(b); E.D. Cal. 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)(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." 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: December 9, 2014.

EDMUND F. BRENNAN

UNITED STATES MAGISTRATE JUDGE