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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN A. RAMIREZ,

Plaintiff,

v.

P. PRICE, et al.,

Defendants.

No. 2:14-cv-03013 TLN AC P

ORDER

On December 25, 2014, plaintiff filed a notice of change of address with the court in which he anticipated being released from custody on January 20, 2015. ECF No. 4. On January 15, 2015, the court issued two orders which were sent to both plaintiff’s address of record and his anticipated new address. ECF Nos. 8, 9. Plaintiff was reminded that he must file a formal change of address upon release from prison. ECF No. 9, fn. 1.

The January 15, 2015 orders mailed to plaintiff’s address of record have been returned by the postal service, and the Inmate Locator website operated by the California Department of Corrections and Rehabilitation (CDCR) indicates that plaintiff is no longer incarcerated.¹ See <http://inmatelocator.cdcr.ca.gov/search.aspx>. It appears that plaintiff has been released from

¹ See Fed. R. Evid. 201 (court may take judicial notice of facts that are capable of accurate determination by sources whose accuracy cannot reasonably be questioned); see also *City of Sausalito v. O’Neill*, 386 F.3d 1186, 1224 n.2 (9th Cir. 2004) (“We may take judicial notice of a record of a state agency not subject to reasonable dispute.”).

1 prison, but he has yet to file a formal change of address.

2 At the time plaintiff was apparently released from prison, he had a pending application to
3 proceed in forma pauperis. ECF No. 3. Because plaintiff has been released and he has not paid
4 the filing fee, within thirty days from the filing date of this order he must either pay the filing fee
5 in full or submit a non-prisoner application to proceed in forma pauperis, which the Clerk will be
6 directed to provide. Failure to comply with this order will result in a recommendation that this
7 action be dismissed without prejudice.

8 Accordingly, IT IS HEREBY ORDERED that:

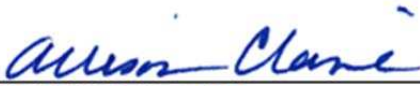
9 1. Within thirty days of the filing of this order, plaintiff must file a notice of change of
10 address.

11 2. Within thirty days of the filing of this order, plaintiff must either pay the filing fee in
12 full or submit a non-prisoner application to proceed in forma pauperis.

13 3. The Clerk of the Court is directed to serve a copy of this order and a blank in forma
14 pauperis application used by non-prisoners on plaintiff at both his address of record and the
15 anticipated address previously provided by plaintiff, specifically 912 Multnomah Drive, Modesto
16 CA 95350.

17 4. Failure to comply with this order will result in a recommendation that this action be
18 dismissed without prejudice.

19 DATED: April 17, 2015

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21 ALLISON CLAIRE
22 UNITED STATES MAGISTRATE JUDGE
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