1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 BRUCE BENTON, No. 2:15-cv-0772 AC P 12 Plaintiff. 13 ORDER and v. 14 EL DORADO COUNTY SHERIFF'S FINDINGS & RECOMMENDATIONS DEPARTMENT, et al., 15 Defendants. 16 17 Plaintiff is a former state prisoner and El Dorado County Jail inmate proceeding pro se 18 19 with this action, which is referred to the undersigned United States Magistrate Judge pursuant to 20 28 U.S.C. § 636(b)(1)(B) and Local Rule 302(c). A recent order of this court was served on 21 plaintiff at his last address of record but returned by the postal service. See ECF No. 26. It 22 appears that plaintiff has failed to comply with Local Rule 183(b), which requires that a party 23 appearing in propria persona inform the court of any address change. "If mail directed to a 24 plaintiff in propria persona by the Clerk is returned by the U.S. Postal Service, and if such 25 plaintiff fails to notify the Court and opposing parties within sixty-three (63) days thereafter of a 26 current address, the Court may dismiss the action without prejudice for failure to prosecute."

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Local Rule 183(b).

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More than sixty-three days have passed since the subject court order was returned by the postal service and plaintiff has failed to notify the Court of his current address. Accordingly, IT IS HEREBY ORDERED that the Clerk of Court randomly assign a district judge to this action. Additionally, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice for failure to prosecute. 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)(l). Within fourteen (14) days after being served with these findings and recommendations, plaintiff may file written objections with the court. The 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: November 26, 2018 UNITED STATES MAGISTRATE JUDGE