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8   UNITED STATES DISTRICT COURT

9   FOR THE EASTERN DISTRICT OF CALIFORNIA

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11   KRISTEN LYNN GIBSON,   No. 2:15-cv-1351-JAM-EFB P

12   Petitioner,

13   v.   FINDINGS AND RECOMMENDATIONS

14   D.K. JOHNSON.,

15   Respondent.

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17   Petitioner is a state prisoner without counsel seeking a writ of habeas corpus pursuant to

18   28 U.S.C. § 2254. On July 23, 2015, the postal service returned a court order directed to

19   petitioner as "undeliverable, RTS – no longer here." Mail was also returned on August 31, 2015

20   and October 13, 2015.

21   A party appearing without counsel must keep the court and all parties apprised of his or

22   her current address. L.R. 183(b). If mail directed to a petitioner is returned by the postal service

23   and petitioner fails to notify the court and opposing parties within 63 days thereafter of his or her

24   current address, the court may dismiss the action without prejudice for failure to prosecute. *Id.*

25   More than 63 days have passed since the postal service initially returned the mail and petitioner

26   has not notified the court of her current address.

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1   Accordingly, it is hereby RECOMMENDED that this action be dismissed. *See* Fed. R.

2 Civ. P. 41(b); L.R. 110, 183(b).

3   These findings and recommendations are submitted to the United States District Judge

4 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within fourteen days

5 after being served with these findings and recommendations, any party may file written

6 objections with the court and serve a copy on all parties. Such a document should be captioned

7 "Objections to Magistrate Judge's Findings and Recommendations." Failure to file objections

8 within the specified time may waive the right to appeal the District Court's order. *Turner v.*

9 *Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

10 Dated: October 19, 2015.

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12 EDMUND F. BRENNAN
    UNITED STATES MAGISTRATE JUDGE