

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BRIAN REED BRUNSON,
Plaintiff,
v.
AMADOR COUNTY JAIL, et al.,
Defendants.

No. 2:15-cv-1760-EFB P

ORDER

Plaintiff is a county inmate proceeding without counsel in an action brought under 42 U.S.C. § 1983. This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1) and is before the undersigned pursuant to plaintiff’s consent. *See* 28 U.S.C. § 636; *see also* E.D. Cal. Local Rules, Appx. A, at (k)(4).

On March 15, 2017, the court determined that plaintiff’s complaint stated a potentially cognizable excessive force claim against defendant Stone. ECF No. 7. That order also dismissed all other claims and defendants with leave to amend. Plaintiff was directed to return the documents necessary to effect service of process on defendant Stone or to file an amended complaint attempting to cure the defects listed therein within thirty days. *Id.* That order warned plaintiff that failure to comply with the order could result in dismissal of this case. The time for acting has passed and plaintiff has failed to return the documents necessary to effect service of

////

1 process on defendant, failed to file an amended complaint and has not otherwise responded to the
2 court's order.¹

3 Accordingly, IT IS HEREBY ORDERED that this action is dismissed without prejudice.
4 Fed. R. Civ. P. 41(b); E.D. Cal. Local Rule 110.

5 Dated: May 9, 2017.

6 
7 EDMUND F. BRENNAN
8 UNITED STATES MAGISTRATE JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

26 _____
27 ¹ Although it appears from the file that plaintiff's copy of the order was returned, plaintiff
28 was properly served. It is the plaintiff's responsibility to keep the court apprised of his current
address at all times. Pursuant to Local Rule 182(f), service of documents at the record address of
the party is fully effective.