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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAYMOND M. DOUGLAS,
Plaintiff,
v.
HUFFMAN,
Defendant.

No. 2:16-cv-02953 TLN AC PS

FINDINGS AND RECOMMENDATIONS

Plaintiff is proceeding in this action pro se. The action was accordingly referred to the undersigned for pretrial matters by E.D. Cal. R. (“Local Rule”) 302(c)(21). On August 2, 2017, the court dismissed the complaint, and granted plaintiff 30 days to file an amended complaint. ECF No. 20. Plaintiff has not responded to the court’s order by filing an amended complaint, nor taken any action to prosecute this case.

Moreover, the order was served on plaintiff’s address of record and returned by the postal service on August 28, 2017. The clerk of court required plaintiff to file a notice of change of address by November 6, 2017. Plaintiff has not updated his address, and therefore failed to comply with the clerk’s instruction and the court’s Local Rules, which require that a party appearing in propria persona inform the court of any address change within sixty-three days. Local Rule 183(b).

Therefore, IT IS HEREBY RECOMMENDED that this action be dismissed, without

1 prejudice, for lack of prosecution and for failure to comply with the court's order. See Fed. R.
2 Civ. P. 41(b); Local Rule 110, 183(b).

3 These findings and recommendations are submitted to the United States District Judge
4 assigned to this case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one
5 (21) days after being served with these findings and recommendations, plaintiff may file written
6 objections with the court. Such document should be captioned "Objections to Magistrate Judge's
7 Findings and Recommendations." Local Rule 304(d). Plaintiff is advised that failure to file
8 objections within the specified time may waive the right to appeal the District Court's order.
9 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

10 DATED: August 10, 2018

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12 ALLISON CLAIRE
13 UNITED STATES MAGISTRATE JUDGE
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