UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL XAVIER BELL,

Plaintiff,

v.

MICHAEL MARTEL, et al,

Defendants.

No. 2:17-cv-00063-MCE-CKD

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On January 18, 2023, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections thereto were to be filed within fourteen days. ECF No. 110. Neither party has filed objections to the findings and recommendations.

Although it appears from the file that plaintiff's copy of the findings and recommendations was returned, plaintiff 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.
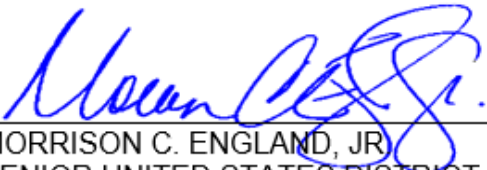
///

1

1   The Court presumes that any findings of fact are correct. See Orand v. United States, 602

2   F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo.

3   See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having

4   reviewed the file, the Court finds the findings and recommendations to be supported by the record

5   and by the magistrate judge's analysis.

6   Accordingly, IT IS HEREBY ORDERED that:

7   1. The findings and recommendations filed January 18, 2023, ECF No. 110, are

8   ADOPTED in full; and

9   2. This action is DISMISSED without prejudice. See Local Rule 110; Fed. R. Civ. P.

10   41(b).

11   IT IS SO ORDERED.

12   Dated: February 9, 2023

13

14   MORRISON C. ENGLAND, JR.
      SENIOR UNITED STATES DISTRICT JUDGE

15

16

17

18

19

20

21

22

23

24

25

26

27

28