1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 PAUL LOUIS BLANK, No. 2:17-cv-231-MCE-EFB PS 12 Plaintiff. 13 FINDINGS AND RECOMMENDATIONS v. 14 WAL-MART STORE AND SAM'S CLUB. 15 Defendants. 16 17 On November 14, 2017, the court dismissed plaintiff's complaint with leave to amend.<sup>1</sup> 18 19 The order explained the complaint's deficiencies, gave plaintiff thirty days to file an amended 20 complaint correcting those deficiencies, and warned plaintiff that failure to file an amended 21 complaint would result in a recommendation that this action be dismissed. ECF No. 3. 22 The deadline has passed and plaintiff has not filed an amended complaint or otherwise responded to the order.<sup>2</sup> 23 24 <sup>1</sup> This action, in which plaintiff is proceeding *in propria persona*, was referred to the 25 undersigned under Local Rule 302(c)(21). See 28 U.S.C. § 636(b)(1). 26 <sup>2</sup> Although it appears from the file that plaintiff's copy of the order was returned, plaintiff was properly served. It is the plaintiff's responsibility to keep the court apprised of his 27 current address at all times. Pursuant to Local Rule 182(f), service of documents at the record 28 address of the party is fully effective. 1

Accordingly, it is hereby RECOMMENDED that this action be dismissed, and that the Clerk be directed to close this case. *See* Fed. R. Civ. P. 41(b); E.D. Cal. L.R. 110.

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 days after being served with these findings and recommendations, plaintiff may file written objections with the court. Such a document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." Failure to file objections within the specified time may waive the right to appeal the District Court's order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

Dated: January 11, 2018.

EĎMUND F. BRĚNNAN

UNITED STATES MAGISTRATE JUDGE