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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GEORGE W. SHUFELT,
Plaintiff,
v.
RAFAEL MIRANDA, et al.,
Defendants.

No. 2:17-cv-1014 WBS CKD P

FINDINGS AND RECOMMENDATIONS

On April 3, 2019, the court ordered plaintiff to inform the court within 30 days whether he will amend his pleadings or proceed on his first amended complaint. Plaintiff was warned that failure to respond to the order would result in a recommendation that this action be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. Plaintiff has not responded to the order. Although it appears from the docket that plaintiff's copy of the April 3, 2019 order was returned to the court as plaintiff has been paroled, plaintiff was properly served. It is the plaintiff's responsibility to keep the court apprised of his current address at all times; plaintiff has failed to do so. Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective.


Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

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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)(1). Within fourteen after being served with these findings and recommendations, plaintiff may file written objections with the court. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file objections within the specified time waives the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: May 17, 2019



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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