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8	UNITED STATES DISTRICT COURT		
9	FOR THE EASTERN DISTRICT OF CALIFORNIA		
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11	MICHAEL DEAN,	No. 2:17-cv-01361-KJM-GGH	
12	Plaintiff,		
13	V.	ORDER	
14	ROMELDA RAUSSER,		
15	Defendant.		
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17	Plaintiff sues in pro se. On July 12, 2017 this court issued an Order granting plaintiff's		
18	motion to proceed in forma pauperis, and dismissing plaintiff's complaint with 45 days leave to		
19	amend in conformity with the court's order. ECF No. 5. On July 19, 2017 the Order, which had		
20	been mailed to plaintiff at the address filed with the court was returned as undeliverable. As a		
21	consequence, on September 20, 2017, the court issued Findings and Recommendations that the		
22	matter be dismissed for failure to prosecute insofar as plaintiff had provided no new address and		
23	therefore was in violation of Eastern District of California Local Rule No. 183(b) which requires		
24	that pro se litigants inform the court of any address change and permits dismissal if more than		
25	sixty-three days pass without an update from plaintiff. ECF No. 6.		
26	On September 26 2017 the court recorded a change of address that had been filed by		
27	plaintiff. ECF No. 7. The court now believes that plaintiff may never have received the two		
28	orders recounted above.		
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1	In light of the foregoing, and good cause appearing therefor, IT IS HEREBY ORDERED	
2	that:	
3	1. The Clerk of the Court shall reserve the two orders recounted above, ECF Nos. 5	
4	and 6, together with this Order by mailing them to plaintiff's newly recorded address;	
5	2. Plaintiff shall have 30 days from the date of this Order to comply with the terms of	
6	ECF No. 5 by filing an amended complaint if he is able to meet the requirements of that Order or,	
7	if appropriate, to dismiss his complaint.	
8	3. Plaintiff is warned that failure to comply with the terms of this Order will result in	
9	the immediate dismissal of his complaint.	
10	4. The Findings and Recommendations, ECF No. 6 are vacated.	
11	IT IS SO ORDERED.	
12	Dated: October 12, 2017	
13	<u>/s/ Gregory G. Hollows</u> UNITED STATES MAGISTRATE JUDGE	
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