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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL DALE HARRIS,  
Plaintiff,  
v.  
SCOTT KERNAN,  
Defendant.

No. 2:18-cv-0148 CKD P

ORDER AND  
FINDINGS AND RECOMMENDATIONS

On January 23, 2018, the Clerk of the Court sent plaintiff certain documents related to this case. The documents were returned to the court by the U.S. Postal Service on February 7, 2018 with a notation that plaintiff no longer resides at High Desert State Prison and has been released from custody. A review of the California Department of Corrections and Rehabilitation Inmate Locator confirms that plaintiff is no longer in custody. It is the plaintiff's responsibility to keep the court apprised of his current address at all times which he has not done. Plaintiff's failure to do so requires dismissal of this action. See Local Rule 183(b).

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court assign a district court judge to this case.

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IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice.

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: April 4, 2018

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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