

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MADISON GUNTER-RITTER and
NATHAN VAZQUEZ,

Plaintiffs,

v.

ROBARTS PROPERTIES, LP,

Defendant.

No. 2:18-cv-01465 KJM AC (PS)

FINDINGS AND RECOMMENDATIONS

Plaintiffs are proceeding in this action pro se. The action was accordingly referred to the undersigned for pretrial matters by E.D. Cal. R. (“Local Rule”) 302(c)(21). On June 13, 2018, the court notified plaintiffs that mail sent to them had been returned as undeliverable and that they must update their address by August 20, 2018. ECF No. 3. That deadline passed without response from plaintiffs. On August 22, 2018 the court issued an order to show cause within 14 days why this case should not be dismissed for failure to prosecute. ECF No. 4. That order was also returned to the court as undeliverable, and plaintiffs did not respond. Plaintiffs have not updated their address, responded to the court’s orders, nor taken any action to prosecute this case.

Therefore, IT IS HEREBY RECOMMENDED that this action be dismissed, without prejudice, for lack of prosecution and for failure to comply with the court’s order. See Fed. R. Civ. P. 41(b); Local Rule 110.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

These findings and recommendations are submitted to the United States District Judge assigned to this case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty-one (21) days after being served with these findings and recommendations, plaintiff may file written objections with the court. Such document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Local Rule 304(d). Plaintiff is advised that failure to file objections within the specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

DATED: September 6, 2018



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE