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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY JEROME ARMSTRONG,
Petitioner,
v.
ROBERT NEUSCHMID,
Respondent.

No. 2:18-cv-1810 KJM AC P

ORDER

Petitioner, a state prisoner proceeding pro se, filed an application for a writ of habeas corpus under 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 1, 2022, the magistrate judge filed findings and recommendations, which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. ECF No. 15. Neither party filed objections to the findings and recommendations.

Although it appears from the file that plaintiff’s copy of the findings and recommendations was returned, plaintiff was properly served. It is the plaintiff’s responsibility to keep the court apprised of his current address at all times. Under Local Rule 182(f), service of documents at the record address of the party is fully effective.


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1 The court presumes that any findings of fact are correct. *See Orand v. United States*,
2 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed
3 de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law
4 by the magistrate judge are reviewed de novo by both the district court and [the appellate] court
5 . . .”). Having reviewed the file, the court finds the findings and recommendations to be
6 supported by the record and by the proper analysis.

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. The findings and recommendations filed July 1, 2022 (ECF No. 15) are adopted; and
- 9 2. This action is dismissed without prejudice for failure to prosecute. *See* L.R. 183(b).
- 10 3. The Clerk of the Court is directed to close this case.

11 DATED: July 28, 2022.

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15 CHIEF UNITED STATES DISTRICT JUDGE
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