UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD HAYES,

Plaintiff,

v.

SOUTHWEST AIRLINES; CREDIT ONE BANK; and FISHES & LOAVES,

Defendants.

No. 2:19-cv-134-KJM-EFB PS

FINDINGS AND RECOMMENDATIONS

On February 6, 2020, the court screened plaintiff's complaint pursuant to 28 U.S.C. § 1915(e)(2).[1] The court dismissed the complaint for failure to state a claim, explained the deficiencies therein, and granted plaintiff thirty days in which to file an amended complaint to cure the deficiencies. ECF No. 3. The order warned plaintiff that failure to file an amended complaint could result in the dismissal of this action. The time for acting has passed and plaintiff has not filed an amended complaint or otherwise responded to the court's order.[2]

[1] This action, in which plaintiff is proceeding *in propria persona*, was referred to the undersigned under Local Rule 302(c)(21). *See* 28 U.S.C. § 636(b)(1).

[2] Although it appears from the file that plaintiff's copy of the order was returned, plaintiff was properly served. It is the plaintiff's responsibility to keep the court apprised of his current address at all times. Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective.

Accordingly, it is RECOMMENDED that this action be DISMISSED without prejudice for failure to state a claim as set forth in the February 6, 2020 order (ECF No. 3).

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)(l). Within fourteen days after being served with these findings and recommendations, plaintiff may file written objections with the court. Such a document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." Failure to file objections within the specified time may waive the right to appeal the District Court's order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

Dated: March 30, 2020.

EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE