UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DMITRIY YEGOROV,

Plaintiff,

v.

VERA DZYBA,

Defendant.

No. 2:19-cv-01110 MCE AC (PS)

FINDINGS AND RECOMMENDATIONS

Plaintiff is 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 July 30, 2019, the court granted plaintiff leave to proceed in forma pauperis, but rejected his complaint because it did not contain a cognizable cause of action. ECF No. 3. The court granted plaintiff 30 days to file an amended complaint. Id. Plaintiff was cautioned that failure to do so could lead to a recommendation that the action be dismissed. Id. at 5-6. Plaintiff did not file an amended complaint. Plaintiff's mail was returned, and per Local Rule 183(b), plaintiff had 63 days (until October 14, 2019) to update his address with the court. Plaintiff did not update his address. Plaintiff has not 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.

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)(l). 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: October 17, 2019

ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE