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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MATTHEW MOULTEN,
Plaintiff,
v.
MARINE JAKUBOWSKI,
Defendant.

No. 2:19-cv-1617 KJN P

ORDER AND FINDINGS AND
RECOMMENDATIONS

By order filed September 26, 2019, plaintiff’s complaint was dismissed and thirty days leave to file an amended complaint was granted. The thirty day period has now expired, and plaintiff has not filed an amended complaint or otherwise responded to the court’s order.

Although it appears from the file that plaintiff’s copy of the order was returned,¹ 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.

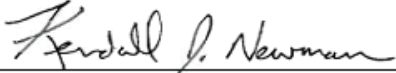
In accordance with the above, IT IS HEREBY ORDERED that the Clerk of the Court is directed to assign a district judge to this case; and

¹ The docket entry notes the mail was returned as “refused, unable to forward,” and the CDCR inmate locator reflects plaintiff is not in CDCR custody.
<http://inmatelocator.cdcr.ca.gov/default.aspx> (accessed November 1, 2019).

1 Further, IT IS RECOMMENDED that this action be dismissed without prejudice. See
2 Local Rule 110; Fed. R. Civ. P. 41(b).

3 These findings and recommendations are submitted to the United States District Judge
4 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen after
5 being served with these findings and recommendations, plaintiff may file written objections with
6 the court. The document should be captioned “Objections to Magistrate Judge’s Findings and
7 Recommendations.” Plaintiff is advised that failure to file objections within the specified time
8 waives the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir.
9 1991).

10 Dated: November 4, 2019

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12 _____
KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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