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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DeANDRE FOWLER,
Plaintiff,
v.
SCOTT JONES, et al.,
Defendants.

No. 2:20-cv-0287 DB P

ORDER AND FINDINGS AND
RECOMMENDATIONS

At the time the complaint was filed, plaintiff was a county inmate proceeding pro se with a civil rights action under 42 U.S.C. § 1983. On screening, this court found plaintiff failed to state a cognizable claim for relief. Plaintiff was given an opportunity to file an amended complaint. In addition, plaintiff was ordered to either pay the filing fee or submit an application to proceed in forma pauperis (IFP) if he wished to proceed with this case. (ECF No. 8.) On March 12, 2020, plaintiff filed a motion to proceed IFP. (ECF No. 9.) However, it was not complete and did not include the required certified copy of plaintiff's inmate trust account statement. Plaintiff did not file an amended complaint. In an order filed March 23, 2020, plaintiff was given sixty days to file a complete IFP application, a certified copy of his trust account statement, and an amended complaint. (ECF No. 10.)

Sixty days have passed and plaintiff has not filed the required documents or otherwise responded to the court's order. This court recognizes that the copy of the March 23 order sent to

1 plaintiff at the address he provided was returned to the court. A notation indicates that plaintiff is
2 no longer incarcerated. It is plaintiff's obligation to inform the court of any changes to his
3 address. E.D. Cal. R. 183(b).

4 Based on plaintiff's failure to comply with court orders, comply with the local rules, and
5 prosecute this case, this court will recommend this case be dismissed.

6 For the foregoing reasons, the Clerk of the Court IS HEREBY ORDERED to randomly
7 assign a district judge to this case; and

8 IT IS RECOMMENDED that this action be dismissed without prejudice. See E.D. Cal.
9 Rules 110, 183(b); Fed. R. Civ. P. 41.

10 These findings and recommendations are submitted to the United States District Judge
11 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
12 after being served with these findings and recommendations, plaintiff may file written objections
13 with the court. The document should be captioned "Objections to Magistrate Judge's Findings
14 and Recommendations." Any response to the objections shall be filed and served within thirty
15 days after service of the objections. Plaintiff is advised that failure to file objections within the
16 specified time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951
17 F.2d 1153 (9th Cir. 1991).

18 Dated: May 30, 2020

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22 DEBORAH BARNES
UNITED STATES MAGISTRATE JUDGE

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