1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 LEE KELLY CLARKE, Case No. 2:21-cv-01399-JAM-JDP (PC) 12 Plaintiff. FINDINGS AND RECOMMENDATIONS THAT THIS ACTION BE DISMISSED FOR 13 v. FAILURE TO PROSECUTE, FAILURE TO COMPLY WITH COURT ORDERS, AND 14 SHASTA COUNTY SHERIFF'S DEPT., FAILURE TO STATE A CLAIM et al.. 15 **OBJECTIONS DUE WITHIN FOURTEEN** Defendants. **DAYS** 16 On April 26, 2022, I screened plaintiff's complaint pursuant to 28 U.S.C. § 1915A. 17 ECF No. 8. Plaintiff was notified that it failed to state a claim and was granted thirty days either 18 19 to file an amended complaint or to notify the court that he wished to stand by his original 20 complaint. Id. He was also warned that failure to comply with that order could result in 21 dismissal of this action. Id. at 4. 22 The deadline has passed, and plaintiff has not filed an amended complaint or otherwise responded to the April 26, 2022 order. Accordingly, it is hereby RECOMMENDED that: 23 24 1. This action be dismissed for failure to prosecute, failure to comply with court orders, and failure to state a claim for the reasons set forth in the April 26, 2022 order. See ECF No. 8. 25 26 Although it appears from the file that plaintiff's copy of the April 26, 2022 order was returned, plaintiff was properly served. It is the plaintiff's responsibility to keep the court 27 apprised of his current address at all times. Pursuant to Local Rule 182(f), service of documents

at the record address of a party is fully effective.

28

2. The Clerk of Court be directed to close the case. I submit these findings and recommendations to the district judge under 28 U.S.C. § 636(b)(1)(B) and Rule 304 of the Local Rules of Practice for the United States District Court, Eastern District of California. The parties may, within 14 days of the service of the findings and recommendations, file written objections to the findings and recommendations with the court. Such objections should be captioned "Objections to Magistrate Judge's Findings and Recommendations." The district judge will review the findings and recommendations under 28 U.S.C. § 636(b)(1)(C). IT IS SO ORDERED. Dated: May 31, 2022 JEREMY D. PETERSON UNITED STATES MAGISTRATE JUDGE