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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GARRISON THOMAS FICKENWORTH,
Plaintiff,
v.
JIM COOPER, et al.,
Defendant.

No. 2:23-cv-00412-DJC-JDP

ORDER TO SHOW CAUSE

On July 5, 2023, Magistrate Judge Jeremy D. Peterson issued an order directing Plaintiff to show cause why this action should not be dismissed for failure to prosecute and failure to comply with court orders. After Plaintiff did not respond, the Magistrate Judge issued Findings and Recommendations on August 8, 2023, recommending that this action be dismissed for failure to prosecute and failure to comply with court orders. (ECF No. 9.) On August 24, Plaintiff filed a response to the order to show cause. (ECF No. 10.) Given Plaintiff's response to the order to show cause, on September 1, 2023, the Magistrate Judge held in abeyance the Findings and Recommendations and directed Plaintiff to file an amended complaint within thirty days. (ECF No. 11.)

Thirty days have passed and Plaintiff has failed to file an amended complaint or a request for an extension of time. However, the Magistrate Judge's September 1, 2023 order was returned as undeliverable with the note "TEMP OUT". While it is

1 Plaintiff's duty to keep the Court advised of his address, see Local Rule 183(b), it is
2 unclear whether this mail was returned due to the Plaintiff being temporarily relocated
3 or if Plaintiff's address has changed.¹ Accordingly, IT IS HEREBY ORDERED that within
4 twenty-one days of this order, Plaintiff must show cause in writing why the findings and
5 recommendations should not be adopted and this action dismissed for failure to
6 prosecute and failure to comply with court orders.

7
8 IT IS SO ORDERED.

9 Dated: November 17, 2023


10 Hon. Daniel J. Calabretta
11 UNITED STATES DISTRICT JUDGE

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25 _____
26 ¹ The Sacramento County Sheriff's Office provides an online information service that provides publicly
27 accessible information about whether an individual is in custody and where they are being held. This
28 information can be accessed at <https://www.sacsheriff.com/InmateInformation/SearchNames.aspx>. A
search based on Plaintiff's name shows that Plaintiff is still in the custody of the Sacramento County
Sheriff's Office and is currently being held at the Sacramento Main Jail at the address Plaintiff has
provided to the Court.