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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

SCOTT RICHARD PRICE,  
Plaintiff,  
v.  
WARDEN,  
Defendant.

No. 2:23-cv-0731 DAD AC P

FINDINGS & RECOMMENDATIONS

By order filed November 7, 2023, the complaint was screened and found to not state a claim for relief. ECF No. 18. Plaintiff was given thirty days to file an amended complaint and cautioned that failure to do so would result in a recommendation that this action be dismissed. Id. at 9. Thirty days have now passed, 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 screening order was returned, 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.

Accordingly, IT IS RECOMMENDED that the complaint be dismissed for failure to state a claim for the reasons set forth in the November 7, 2023 Screening Order (ECF No. 18). See L.R. 110; Fed. R. Civ. P. 41(b); 28 U.S.C. § 1915A.

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These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, plaintiff may file written objections with the court and serve a copy on all parties. Such a document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” 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: December 27, 2023

  
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ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE