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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NICHOLAS A. GASPAR,

Plaintiff,

v.

AMADOR COUNTY JAIL, et al,

Defendants.

No. 2:24-cv-00240-DC-SCR (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
THIS ACTION

(Doc. Nos. 2, 7)

Plaintiff Nicholas A. Gaspar is a former county jail inmate appearing *pro se* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 29, 2024, the assigned magistrate judge issued findings and recommendations recommending this action be dismissed, without prejudice, due to Plaintiff’s failure to prosecute this action. (Doc. No. 7.) The magistrate judge noted Plaintiff failed to comply with Local Rule 183(b)’s requirement that he notify the court of any change in his address of record. Specifically, on August 13, 2024, the service copy of a court order that was mailed to Plaintiff at his address of record was returned to the court marked as “Undeliverable, Attempted-Not Known.” Thus, pursuant to Local Rule 183, Plaintiff was required to file a notice of his change of address with the court no later than October 21, 2024, and he has not done so.

Those findings and recommendations were served on Plaintiff and contained notice that

1 any objections thereto were to be filed within fourteen (14) days after service. (Doc. No. 7 at 1–
2 2.) To date, no objections to the findings and recommendations have been filed, and the time in
3 which to do so has now passed.¹

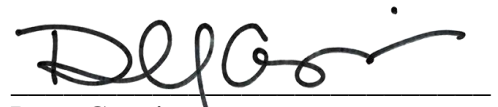
4 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
5 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
6 findings and recommendations are supported by the record and by proper analysis.

7 Accordingly:

- 8 1. The findings and recommendations issued on October 29, 2024 (Doc. No. 7) are
9 adopted in full;
- 10 2. This action is dismissed, without prejudice, due to plaintiff’s failure to prosecute
11 this action;
- 12 3. Plaintiff’s pending motion to proceed *in forma pauperis* (Doc. No. 2) is denied as
13 having been rendered moot by this order; and
- 14 4. The Clerk of the Court is directed to close this case.

15 IT IS SO ORDERED.

16 Dated: November 22, 2024

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18 Dena Coggins
19 United States District Judge

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27 ¹ The court notes that on November 8, 2024, the service copy of the pending findings and
28 recommendations was also returned to the court marked as “Undeliverable, No longer in
custody.”