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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 JERAMIAH HANCE,
12 CDCR #V-46563,

13 Plaintiff,

14 vs.

15 L. ROMERO;
16 VALDOVINOS,

17 Defendants.

Case No.: 3:16-cv-03027-GPC-RBM

**ORDER DISMISSING CASE FOR
FAILING TO PROSECUTE**

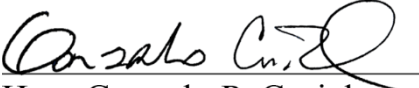
18 On September 18, 2018, the Court issued an order to show cause why the case should
19 not be dismissed for failing to prosecute pursuant to Civil Local Rules 83.11 and 41.1.
20 (Dkt. No. 18.) Plaintiff did not respond by the Court's deadline of October 19, 2018.

21 On December 12, 2016, Jeramiah Hance ("Plaintiff"), proceeding pro se, filed a civil
22 rights Complaint pursuant to 42 U.S.C. § 1983 (ECF No. 1) as well as a motion for leave
23 to proceed in forma pauperis, (ECF No. 2). On February 21, 2017, the Court granted the
24 motion for leave to proceed in forma pauperis, concluded that Plaintiff had sufficiently
25 survived the "low threshold" for proceeding past the sua sponte screening required by 28
26 U.S.C. §§ 1915(e)(2) and 1915A(b), and directed the U.S. Marshal to effect service of
27 summons of Plaintiff's Complaint on his behalf. (ECF No. 3.) Summons were issued on
28 February 21, 2017. (ECF No. 4.) On March 22, 2017, the Court's order and the summons

1 were returned as undeliverable. (ECF No. 5.) Since then, Plaintiff has failed to file a notice
2 of change of address in violation of Civil Local Rule 83.11. Civil Local Rule 83.11
3 provides, a “party proceeding pro se must keep the court and opposing parties advised as
4 to current address. If mail directed to a pro se plaintiff by the clerk at the plaintiff’s last
5 designated address is returned by the Post Office, and if such plaintiff fails to notify the
6 court and opposing parties within 60 days thereafter of the plaintiff’s current address, the
7 court may dismiss the action without prejudice for failure to prosecute.” Civ. Local R.
8 83.11. In addition, Civil Local Rule 41.1 provides that any case that has been pending in
9 the court for more than six months without any proceedings may be dismissed for want of
10 prosecution. Civ. Local R. 41.1. Because Plaintiff has failed to respond to the order to
11 show cause and Plaintiff has taken no further action to prosecute since he filed a motion
12 for leave to proceed in forma pauperis on January 23, 2017, the Court dismisses the case
13 without prejudice for failing to prosecute under Civil Local Rules 83.11 and 41.1. The
14 Clerk of Court shall close the case.

15 IT IS SO ORDERED.

16 Dated: November 26, 2018

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18 Hon. Gonzalo P. Curiel
19 United States District Judge
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