

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 Case No.: 2:18-cv-00319-JAD-NJK

4 Percy Lavae Bacon,

5 Plaintiff

6 v.

7 James Cox, et al.,

8 Defendants

Order

[ECF Nos. 65, 67]

9
10 Pro se prisoner-plaintiff Percy Lavae Bacon brings this civil-rights action for events he
11 claims occurred at Nevada's Southern Desert Correctional Center. Local Rule IA 3-1 requires
12 litigants to update their address with the court any time they move, and it warns that the failure to
13 do so may cause a case to be dismissed. After Bacon's mail began to be returned, the Magistrate
14 Judge ordered him to update his address by May 21, 2019, or have this case dismissed.¹ That
15 deadline passed without any address update, so the magistrate judge recommended that I dismiss
16 this case without prejudice for failure to comply with the court's rules and orders.² Bacon
17 objects to that recommendation, explaining that he sent a letter to the court advising that he had
18 been paroled and had a new address.³ He asks that he be permitted to proceed with this
19 litigation. Defendants did not respond to that objection.

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22 ¹ ECF No. 60.

23 ² ECF No. 65.

³ ECF No. 67.

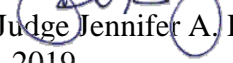
1 The court did not receive that letter, and Local Rule IA 7-2 tells litigants that they “must
2 not send case-related correspondence, such as letters . . . to the court. All communications with
3 the court must be styled as a motion, stipulation, or notice, and must be filed in the court’s
4 docket and served on all other attorneys and pro se parties.” Nevertheless, the court takes Bacon
5 at his word and will not dismiss this case at this time. However, Bacon is cautioned that he must
6 advise this court immediately—via a filed notice of new address—any time he moves.

7 Accordingly,

8 IT IS HEREBY ORDERED that the Report and Recommendation [ECF No. 65] is
9 **REJECTED**. This case may proceed.

10 IT IS FURTHER ORDERED that the Clerk of Court is directed to **UPDATE** Percy
11 Lavae Bacon’s **address to: 1327 H St., Apt. 231, Las Vegas, NV 89106, and SEND** Bacon a
12 copy of the documents filed at **ECF No. 62** (Motion for Summary Judgment) and **63**
13 (Klinge/Rand notice) to that address.

14 IT IS FURTHER ORDERED that **Bacon has until August 5, 2019, to file a response to**
15 **Defendants’ Motion for Summary Judgment [ECF No. 62]**.

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U.S. District Judge Jennifer A. Dorsey
Dated: July 9, 2019