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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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9 ERIC BAKER,

10 Plaintiff,

11 vs.

12 CAROLYN W. COLVIN,

13 Acting Commissioner of Social Security,

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Defendant.

Case No.: 3:15-CV-00528-RCJ-WGC

**ORDER**

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On February 26, 2016, United States Magistrate Judge Cobb entered Order Concerning Review of Social Security Cases (ECF No. 11). On March 7, 2016, a copy of the Order was returned as undeliverable, "return to sender not deliverable as addressed unable to forward." (ECF #12).

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**Local Rules of Special Proceedings and Appeals 2-2 Change of Address provides as follows:**

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"The plaintiff shall immediately file with the Court written notification of any change of address. The notification must include proof of service upon each opposing party or the party's attorney. Failure to comply with this Rule may result in dismissal of the action with prejudice."

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**Local Rule 41-1 provides as follows:**

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"All civil actions that have been pending in this court for more than 270 days without any proceeding of record having been taken may, after notice, be dismissed for want of

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1 prosecution by the court sua sponte or on the motion of an attorney or pro se party."

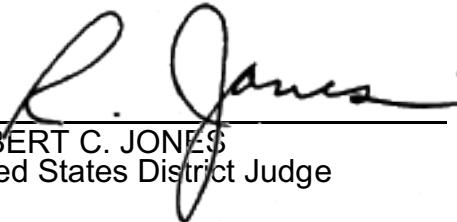
2 Be advised the official record in this action reflects that this case has been pending for  
3 THREE HUNDRED SIXTY EIGHT (368) days without any proceeding having been taken  
4 during such period.

5 "Before dismissing the action, the district court is required to weigh several factors: (1)  
6 the public's interest in expeditious resolution of litigation; (2) the court's need to manage its  
7 docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of  
8 cases on their merits; and (5) the availability of less drastic sanctions." Ghazali v. Moran, 46  
9 F.3d 52, 53 (9<sup>th</sup> Cir. 1995) (internal citations and quotations omitted). All five factors point in  
10 favor of dismissal.

11 If no action is taken in this case **on or before FRIDAY, MARCH 31, 2017**, the Court  
12 will dismiss this action for want of prosecution and the Clerk of the Court shall enter final  
13 judgment accordingly.

14 IT IS SO ORDERED.

15 DATED this 10<sup>th</sup> day of March, 2017.

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18 ROBERT C. JONES  
19 United States District Judge  
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