

1	UNITED STATES DISTRICT COURT	
2	DISTRICT OF NEVADA	
3	MARCEL EUGENE THOMAS,	Case No. 3:20-cv-00678-MMD-CLB
4		Plaintiff
5	v.	ORDER
6	PERRY RUSSELL,	
7		Defendant
8		

9 **I. DISCUSSION**

10 According to the Nevada Department of Corrections (“NDOC”) inmate database,  
11 Plaintiff is no longer incarcerated. However, Plaintiff has not filed an updated address  
12 with this Court. The Court notes that pursuant to Nevada Local Rule of Practice IA 3-1,  
13 a “pro se party must immediately file with the court written notification of any change of  
14 mailing address, email address, telephone number, or facsimile number. The notification  
15 must include proof of service on each opposing party or the party’s attorney. Failure to  
16 comply with this rule may result in the dismissal of the action, entry of default judgment,  
17 or other sanctions as deemed appropriate by the court.” Nev. Loc. R. IA 3-1. This Court  
18 grants Plaintiff until Friday, September 24, 2021, to file his updated address with this  
19 Court. If Plaintiff does not update the Court with his current address by Friday, September  
20 24, 2021, this case will be subject to dismissal without prejudice.

21 Additionally, the Court denies the application to proceed *in forma pauperis* for  
22 prisoners (ECF No. 8) as moot because Plaintiff is no longer incarcerated. The Court  
23 now directs Plaintiff to file an application to proceed *in forma pauperis* by a non-prisoner  
24 by Friday, September 24, 2021, or pay the full filing fee of \$402.

25 **II. CONCLUSION**

26 For the foregoing reasons, it is ordered that Plaintiff will file an updated address  
27 with the Clerk of the Court by Friday, September 24, 2021.

28 It is further ordered that Plaintiff’s application to proceed *in forma pauperis* for

1 prisoners (ECF No. 8) is denied as moot.

2 It is further ordered that the Clerk of the Court will send Plaintiff the approved form  
3 application to proceed *in forma pauperis* by a non-prisoner, as well as the document  
4 entitled information and instructions for filing an *in forma pauperis* application.

5 It is further ordered that by Friday, September 24, 2021, Plaintiff will either: (1) file  
6 a fully complete application to proceed *in forma pauperis* for non-prisoners; or (2) pay the  
7 full filing fee of \$402.

8 It is further ordered that, if Plaintiff fails to timely comply with this order, this case  
9 will be subject to dismissal without prejudice.

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DATED THIS 7th day of September 2021.

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UNITED STATES MAGISTRATE JUDGE

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