

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ADRIAN AGUIRRE,
Plaintiff,

v.

ICENBERG,
Defendant.

Case No.: 3:22-cv-00296-ART-CLB

ORDER
(ECF No. 1)

I. DISCUSSION

On October 11, 2022, the Court screened Plaintiff's first amended complaint under 42 U.S.C. § 1983. The Court allowed some claims to proceed and dismissed other claims without prejudice and with leave to amend. (*Id.*) However, the Court's order came back as undeliverable. (ECF No. 8.) The last address that Plaintiff provided to the Court is Ely State Prison ("ESP"). Based on Nevada Department of Correction ("NDOC") records, it appears that Plaintiff is currently housed at High Desert State Prison ("HDSP"). The Court will direct the Clerk of Court to send a copy of the Court's screening order, and the attachments, to Plaintiff at HDSP. The Court will also extend the deadline for Plaintiff to file a second amended complaint until December 23, 2022.

The Court notes that pursuant to Nevada Local Rule of Practice IA 3-1, a "pro se party must immediately file with the court written notification of any change of mailing address, email address, telephone number, or facsimile number. The notification must include proof of service on each opposing party or the party's attorney. Failure to comply with this rule may result in the dismissal of the action, entry of default judgment, or other sanctions as deemed appropriate by the court." Nev. Loc. R. IA 3-1. The Court will direct the Clerk of the Court to resend the screening order to the address listed in NDOC's records, but Plaintiff must file his updated address with the Court. If Plaintiff does not file his updated address with the Court within 30 days, this case will be subject to dismissal without prejudice.

It is therefore ordered that the Clerk of the Court send a copy of the Court's screening order and the attachments (ECF Nos. 6, 6-1, 6-2) to Plaintiff at HDSP.

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

It is further ordered that the Court extends the deadline for Plaintiff to file a second amended complaint until December 23, 2022.

DATED THIS 21st day of November 2022


UNITED STATES MAGISTRATE JUDGE