

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

JOSE TOMAS FONSECA,

Plaintiff,

v.

OKLAHOMA COUNTY DETENTION
CENTER,

Defendant.

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Case No. CIV-22-588-SLP

ORDER

Before the Court is the Report and Recommendation [Doc. No. 12] of United States Magistrate Judge Gary M. Purcell entered August 17, 2022. No objection to the Report and Recommendation has been filed nor has an extension of time in which to object been sought or granted.¹ Therefore, the Court finds that Plaintiff has waived further review of all issues addressed in the Report and Recommendation. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); *see also United States v. 2121 E. 30th St.*, 73 F.3d 1057, 1060 (10th Cir. 1996).

¹ The Court’s docket reflects that Plaintiff’s mail has been returned as undeliverable. *See* [Doc. Nos. 10-11]. Plaintiff is responsible for providing notice of any change of address to the Court. *See* LCvR 5.4 (requiring written notice of a change of address and further providing that papers sent by the Court are “deemed delivered if sent to the last known address given to the court.”); *see also Theede v. United States Dep’t of Labor*, 172 F.3d 1262, 1267-68 (10th Cir. 1999) (pro se plaintiff who failed to provide any change of address waived right to review of report and recommendation by failing to make a timely objection).

Accordingly, the Report and Recommendation of the Magistrate Judge is ADOPTED in its entirety. This matter is DISMISSED WITHOUT PREJUDICE due to Plaintiff's failure to prosecute this matter and comply with the Court's Orders.

IT IS SO ORDERED this 16th day of September, 2022.



SCOTT L. PALK
UNITED STATES DISTRICT JUDGE