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6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF WASHINGTON
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9 MAURICE PATRICK,

10 Appellant,

11 v.

12 US DEPARTMENT OF EDUCATION

13 and WASHINGTON STATE

14 UNIVERSITY, and EDUCATIONAL

15 CREDIT MANAGEMENT

16 CORPORATION,

17 Respondents.
18

No. 2:14-cv-00373-SAB

ORDER DISMISSING ACTION

19 Appellant Maurice Patrick filed his Notice of Appeal from the bankruptcy
20 court on November 20, 2014. ECF No. 1 Mr. Patrick is appealing the dismissal of
21 his action by the bankruptcy court. In dismissing his action, the court found that
22 Mr. Patrick failed to properly serve the defendants, failed to appear at all regularly
23 scheduled hearings, failed to properly answer discovery requests and failed to
24 supplement his discovery response. ECF No. 1-2.

25 Since the initial filing of Mr. Patrick's appeal, this Court issued numerous
26 show cause and other orders in an attempt to facilitate the prosecution of
27 Mr. Patrick's appeal, and most recently referred this action to Magistrate John
28 Rogers to assist Plaintiff in prosecuting this action. ECF Nos. 11, 15, 20, 27, 33.

ORDER DISMISSING ACTION ~ 1

1 The record reflects that the most recent Order issued by the Court was
2 returned as undeliverable to the two addresses the Court had on file for
3 Mr. Patrick. ECF No. 34, 35. Given that Mr. Patrick has been given numerous
4 opportunities by the Court to prosecute this action, the Court is left with no other
5 option but to dismiss the action for failure to prosecute and failure to provide a
6 forwarding address.

7 Accordingly, **IT IS HEREBY ORDERED:**

8 1. The referral to Magistrate Judge John Rodgers for the purpose of
9 facilitating settlement of Appellant's bankruptcy appeal is **withdrawn**.

10 2. The above-captioned case is **dismissed**, without prejudice.

11 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
12 file this Order, provide copies to Appellant, counsel, and Magistrate Judge
13 Rodgers, and close the file.

14 **DATED** this 8th day of December, 2016.



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A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is written in a cursive style and is positioned above a horizontal line.

20 Stanley A. Bastian
21 United States District Judge
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