

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Magana v. CSP Solano CDCR, et al.

No. 2:23-cv-2007 DJC AC P (E.D. Cal. Apr. 8, 2025) · No. No. 2:23-cv-2007 DJC AC P · Decided April 9, 2025

OPINION

(PC) Magana v. CSP Solano CDCR

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10

11 JOHN A. MAGANA, No. 2:23-cv-2007 DJC AC P

12 Plaintiff,

13 v. ORDER AND FINDINGS AND

RECOMMENDATIONS

14 CSP SOLANO CDCR, et al., 15 Defendants. 16 17 Plaintiff is a former state prisoner
proceeding pro se with this civil rights action filed 18 pursuant to 42 U.S.C. § 1983. By order filed
February 19, 2025, this case was referred to the 19 court's Post-Screening ADR (Alternative
Dispute Resolution) Project and stayed for a period of 20 120 days. ECF No. 16. That order
provided defendant the opportunity to request opting out of 21 the ADR Project based on a good
faith belief that a settlement conference would be a waste of 22 resources. Id. at 2. Defendant now
requests to opt out of the Post-Screening ADR Project and 23 that the stay be lifted. ECF No. 17.
Having reviewed the request, the court finds good cause to 24 grant it. 25 Although the stay is
being lifted, defendant will not be required to respond to the 26 complaint at this time because the
file reflects that a recent court order was served on plaintiff's 27 address of record and returned by
the postal service. It appears that plaintiff has failed to comply 28 with Local Rule 183(b), which
requires that a party appearing in propria persona inform the court 1 | of any address change. More
than thirty days have passed since the court order was returned by 2 || the postal service and
plaintiff has failed to notify the court of a current address. 3 Good cause appearing, IT IS
HEREBY ORDERED that: 4 1. Defendant's request to opt out of the Post-Screening ADR Project
(ECF No. 17) is 5 || GRANTED. 6 2. The ADR stay of this action, commencing February 19,
2025 (ECF No. 16), is 7 || LIFTED. 8 IT IS FUTHER RECOMMENDED that this action be
dismissed without prejudice for 9 | failure to prosecute. See L.R. 183(b). 10 These findings and
recommendations are submitted to the United States District Judge 11 || assigned to the case,
pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days 12 | after being served

with these findings and recommendations, any party may file written 13 || objections with the court. The document should be captioned “Objections to Magistrate Judge’s 14 | Findings and Recommendations.” Any response to the objections shall be filed and served within 15 | fourteen days after service of the objections. The parties are advised that failure to file objections 16 || within the specified time may waive the right to appeal the District Court’s order. Martinez v. 17 | Yist, 951 F.2d 1153 (9th Cir. 1991). 18 | DATED: April 8, 2025 ~ 19 Aten —Chare
ALLISON CLAIRE
20 UNITED STATES MAGISTRATE JUDGE
21 22 23 24 25 26 27 28