

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Marquise Louis Drumwright v. C. Huckleberry, et al.

Drumwright v. Huckleberry · No. 1:22-cv-01410 JLT SKO (PC) · Decided September 22, 2025

SUMMARY

The United States District Court for the Eastern District of California adopts the magistrate judge's findings and recommendations and dismisses Marquise Louis Drumwright's 42 U.S.C. § 1983 action without prejudice. The dismissal is based on the plaintiff's failure to obey local rules, keep the Court apprised of his current address, and prosecute the action.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 MARQUISE LOUIS DRUMWRIGHT, Case No.: 1:22-cv-01410 JLT SKO
(PC) 12 Plaintiff, ORDER ADOPTING FINDINGS AND RECOMMENDATIONS TO DISMISS
ACTION 13 v. WITHOUT PREJUDICE FOR PLAINTIFF'S FAILURE TO OBEY LOCAL
RULES AND 14 C. HUCKLEBERRY, et al., FAILURE TO PROSECUTE 15 Defendants. (Doc.

52) 16 17 Marquise Louis Drumwright seeks to hold defendants liable for violations of his civil 18
rights pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge
19 pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. 20 The magistrate judge issued
Findings and Recommendations regarding Plaintiff's failure 21 to prosecute the action and failure
to comply with the Court's Local Rules, specifically 22 concerning Plaintiff's failure to keep the
Court apprised of his current address.

(Doc. 52.) The 23 magistrate judge found terminating sanctions were appropriate after considering
the factors 24 identified by the Ninth Circuit in *Carey v. King*, 856 F.2d 1439, 1440 (9th Cir.
1988). (Id. at 2-5.) 25 Therefore, the magistrate judge recommended the Court dismiss the action
without prejudice for 26 Plaintiff's failure to obey the Local Rules and failure to prosecute.

(Id. at 5-6.) 27 The Court served the Findings and Recommendations on Plaintiff and notified him
that any objections were due within 14 days. (Doc. 52 at 6.) The Court advised him that the
"failure to 1 | file any objections within the specified time may result in the waiver of certain
rights on appeal." 2 | Ud., citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir.

2014).) Plaintiff did not file 3 | objections, and the time to do so has passed. 4 According to 28
U.S.C. § 636(b)(1), this Court performed a de novo review of this case. 5 | Having carefully

reviewed the matter, the Court concludes the Findings and Recommendations 6 || are supported by the record and proper analysis.

Thus, the Court ORDERS: 7 1. The Findings and Recommendations issued September 2, 2025 (Doc. 52) are 8 ADOPTED in full. 9 2. This action is DISMISSED without prejudice for Plaintiffs failure to obey the Local 10 Rules and failure to prosecute. 11 3.

The Clerk of Court is directed to close this case. 12 B IT IS SO ORDERED. 4 Dated: _ September 22, 2025 Cerin | Tower TED STATES DISTRICT JUDGE 15 16 17 18 19 20 21 22 23 24 25 26 27 28