

**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

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**OPINION**

Huckleberry

PER CURIAM.

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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

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