

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

Drumwright v. Jones, et al.

Drumwright · No. No. 1:23-cv-00730 JLT BAM (PC) · Decided December 29, 2025

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 MARQUISE LOUIS DRUMWRIGHT, No. 1:23-cv-00730 JLT BAM (PC)
12 Plaintiff, ORDER ADOPTING FINDINGS AND RECOMMENDATIONS AND
DISMISSING 13 v. ACTION WITHOUT PREJUDICE 14 JONES, et al., (Doc. 18) 15
Defendants. 16 17 Plaintiff Marquise Louis Drumwright is a state prisoner proceeding pro se and
in forma 18 pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

19 On October 3, 2025, the Court issued an order reassigning this case from Magistrate Judge 20
Gary S. Austin to Magistrate Judge Barbara A. McAuliffe for all further proceedings. (Doc. 15.)
21 On October 20, 2025, that order was returned as “Undeliverable, Inactive, Released
4/20/2025.” 22 On October 21, 2025, the Court screened the complaint and granted Plaintiff leave
to file a 23 first amended complaint or to notify the Court of his willingness to proceed on
cognizable claims 24 within thirty days.

(Doc. 16.) On November 7, 2025, that order was returned as “Undeliverable, 25 Inactive
4/28/2025.” 26 Plaintiff’s notice of change of address was due no later than November 19, 2025.
Local 27 Rule 183(b). Plaintiff’s response to the Court’s October 21, 2025 order also is overdue.
28 On December 2, 2025, the magistrate judge issued findings and recommendations that 1 ||
recommended this action be dismissed, without prejudice, for failure to obey a Court order and 2 |
failure to prosecute.

(Doc. 18.) The Court served the findings and recommendations on Plaintiff 3 | and notified him
that any objections were due within 14 days. (Ud. at 4.) The Court also advised 4 | Plaintiff that
failure to file objections within the specified time may result in the waiver of the 5 | right to
challenge the magistrate’s factual findings on appeal. (d. (citing Wilkerson v. Wheeler, 6 | 772 F.3d
834, 838-39 (9th Cir.

2014).) On December 16, 2025, the findings and 7 || recommendations were returned as
“Undeliverable, RTS, Inactive, Discharged 4/20/2025.” 8 According to 28 U.S.C. § 636 (b)(1)(C),
this Court performed a de novo review of this 9 | case.

Having carefully reviewed the matter, the Court concludes that the findings and 10 ||
recommendations are supported by the record and proper analysis. Thus, the Court ORDERS: 11

1. The findings and recommendations issued on December 2, 2025, (Doc. 18), are 12 ADOPTED.
13 2. This action is DISMISSED without prejudice. 14 3.

The Clerk of the Court is directed to close this case. 15 16 IT IS SO ORDERED. 17] Dated:
_December 26, 2025 Charis [Tourn TED STATES DISTRICT JUDGE 18 19 20 21 22 23 24 25 26
27 28