

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Lakshmi Singh-Sandhu v. Kapur C. Sandhu, et al.

Sandhu v. Sandhu · No. 1:24-cv-1236 JLT BAM · Decided March 31, 2025

OPINION

(PC) Sandhu v. Sandhu

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 LAKSHMI SINGH-SANDHU,) Case No.: 1:24-cv-1236 JLT BAM) 12 Plaintiff,)

ORDER ADOPTING FINDINGS AND

) RECOMMENDATIONS, DISMISSING THE

13 v.) ACTION WITHOUT PREJUDICE, AND

) DIRECTING THE CLERK OF COURT TO CLOSE

14 KAPUR C. SANDHU, et al.,) THE CASE) 15 Defendants.) (Doc. 11)) 16) 17 Lakshmi

Singh Sandhu initiated this action by filing a complaint and application to proceed in 18 forma
pauperis on October 11, 2024. (Docs. 1, 2.) However, Plaintiff's application did not contain 19
sufficient information for the Court to determine whether she satisfied the indigency requirements.

20 Therefore, the Court ordered Plaintiff to file a completed application on November 7, 2024.

(Doc. 6.) 21 The U.S. Postal Service returned the Court's mail marked: "Undeliverable, Does not
live here, RTS, 22 Refused, Unable to Forward" on December 12, 2024. Although the Court
attempted re-service at a 23 different address, the Postal Service again returned the mail as
undeliverable on December 20, 2024, 24 and December 30, 2024. 25 The magistrate judge found
Plaintiff failed to prosecute the action and failed to comply with 26 Local Rule 183(b), which
requires a party proceeding in propria persona to keep the Court informed of 27 a proper mailing
address. (Doc. 11 at 1-2.) The magistrate judge determined dismissal of the action is 28

appropriate, after considering the factors identified by the Ninth Circuit prior to imposing
terminating 1 || sanctions for failure to prosecute. (d., citing *Carey v. King*, 856 F.2d 1439, 1440

(9th Cir. 1988).) 2 || Therefore, the magistrate judge recommended the Court dismiss the action
without prejudice. (/d. at □ 3 The Court served the Findings and Recommendations Plaintiff at the

address on record. 4 || However, the U.S. Postal Service again returned the Court's mail as
undeliverable on March 21, 2024! 5 || Despite this, the service upon Plaintiff is deemed fully

effective pursuant to Local Rule 182(f). 6 || Plaintiff did not file objections or take any other action
to prosecute this case. 7 According to 28 U.S.C. § 636(b)(1), this Court performed a de novo

review of this case. 8 || Having carefully reviewed the matter, the Court concludes the Findings
and Recommendations are 9 || supported by the record and proper analysis. Thus, the Court
ORDERS: 10 1. The Findings and Recommendations dated March 7, 2025 (Doc. 11) are
ADOPTED i 11 full. 12 2. The action is DISMISSED without prejudice, due to Plaintiff's failure
to prosecute. 13 3. The Clerk of Court is directed to close this case. 14 15 IS SO ORDERED. 16 ||
Dated: _ March 30, 2025 (LAW pA L. wan
17 TED STATES DISTRICT JUDGE
18 19 20 21 22 23 24 25 26 27 28