

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOHNNY BRIONES,

Plaintiff,

vs.

PLEASANT VALLEY STATE PRISON,
et al.,

Defendants.

1:14-cv-00750-LJO-GSA-PC

ORDER DENYING CHANGE OF
ADDRESS TO STREET ADDRESS
(Doc. 17.)

ORDER FOR PLAINTIFF TO FILE
NOTICE OF CHANGE OF ADDRESS
WITHIN THIRTY DAYS

ORDER DIRECTING CLERK TO
MAIL CHANGE OF ADDRESS FORM
AND COPY OF THIS ORDER TO
PLAINTIFF AT TWO ADDRESSES

I. BACKGROUND

Johnny Briones ("Plaintiff") is a state prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint commencing this action on May 19, 2014. (Doc. 1.)

On October 10, 2014, Plaintiff filed a notice requesting the court to change his address of record to: C/O Juanita Machado, 4623 1/2 W. 170th St., Lawndale, CA 90260. (Doc. 17.)

II. CHANGE OF ADDRESS TO ADDRESS OTHER THAN PRO SE LITIGANT'S ACTUAL ADDRESS

In the event that Plaintiff intends to retain his in propria persona status and continue representing himself, he may not change his address of record at the court to someone else's

1 address. There is no Federal Rule of Civil Procedure or Local Rule allowing service of court
2 and other legal documents at an address other than a pro se litigant's actual address. Local Rule
3 131, Local Rule 182(f), and Local Rule 183(b) require pro se litigants to inform the court of
4 their addresses and to keep the court informed of any change in their addresses. There is no
5 authority for the proposition that a pro se litigant can simply request the court to serve him at a
6 different address.

7 There may be special circumstances in which the court could serve a pro se litigant at a
8 separate address. However, no such special circumstances are apparent here. Moreover,
9 service at a location other than Plaintiff's place of residence can pose significant problems with
10 ensuring that Plaintiff receives all court documentation, meets court deadlines and prepares and
11 signs all of his own legal documentation as a party proceeding in pro se.

12 The court's current address of record for Plaintiff is: California Substance Abuse
13 Treatment Facility, P.O. Box 5242, Coalinga, CA 93212-5242. (Court Record.) There is no
14 evidence that Plaintiff was released from custody. Therefore, the Clerk of Court shall be
15 directed to send Plaintiff a change-of-address form. Plaintiff is required to complete and return
16 the form to the court within thirty days, notifying the court of his address of actual residence.
17 Plaintiff is cautioned that pro se litigants are required to notify the Clerk and all other parties of
18 any change of address, and absent such notice, service of documents at the prior address of the
19 party shall be fully effective. See Local Rule 182(f). Moreover, Plaintiff's failure to comply
20 with an order or any Local Rule may be grounds for dismissal of the entire action. See Local
21 Rule 110.

22 **III. CONCLUSION**

23 Based on the foregoing, IT IS HEREBY ORDERED that:

- 24 1. Plaintiff's request to change his address of record at the court to a street address,
25 in care of another individual, is DENIED;
- 26 2. The Clerk is DIRECTED to:
 - 27 (a) Mail a copy of this order and a change-of-address form to Plaintiff at
28 both of the following addresses:

(1) Johnny G. Briones
F-15570
California Substance Abuse Treatment Facility
P.O. Box 5242
Coalinga, CA 93212-5242

(2) Johnny G. Briones
C/O Juanita Machado
623 1/2 W. 170th St.
Lawndale, CA 90260

3. Within thirty days of the date of service of this order, Plaintiff is required to file a notice of change of address, notifying the court of his address of actual residence; and

4. Plaintiff's failure to comply with this order shall result in a recommendation that this action be dismissed.

IT IS SO ORDERED.

Dated: October 31, 2014

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE