UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DARYL ANTHONY HICKS,

Plaintiff,

v.

GOSAI, *et al.*,

Defendants.

Case No. 2:20-cv-2303-DC-JDP (PC)

ORDER ADOPTING FINDINGS AND RECOMMENDATIONS

(ECF Nos. 89, 97, 99, 100)

Plaintiff, a former state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 18, 2025, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days.[1] Plaintiff filed

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[1] Although it appears from the file that plaintiff's copy of the findings and recommendations was returned, plaintiff was properly served. It is the plaintiff's responsibility to keep the court apprised of his current address at all times. Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective.

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objections on September 24, 2025.[2] (ECF No. 98.) But Plaintiff does not address the substance of those findings and recommendations. Rather, Plaintiff reiterates that he is homeless and indigent, circumstances that the magistrate judge appropriate considered in the findings and recommendations. Thus, Plaintiffs' objections do not serve as a basis to reject the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed August 18, 2025, ECF No. 97, are adopted in full;
2. Defendants' renewed motion for terminating sanctions, ECF No. 89, is GRANTED;
3. This action is dismissed as sanction for plaintiff's failure to comply with his discovery obligations;
4. Plaintiff's motion to compel discovery, ECF No. 99, and motion to appoint counsel, ECF No. 100, are DENIED as having been rendered moot by this order;
5. The Clerk of the Court is directed to mail a copy of this order to Plaintiff's mailing address, as indicated in ECF No. 98 at 2, as follows:

   4035 E. Elizabeth Street

   Compton, California 90221
6. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: **September 26, 2025**

Dena Coggins
United States District Judge

[2] In his objections, Plaintiff explains that he is permitted to use his brother's address to receive mail: 4035 E. Elizabeth Street, Compton, California 90221. (ECF No. 98 at 2.) Accordingly, the court will direct the Clerk of the Court to mail a copy of this order to that address.