

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

RICARDO M. BARBOSA,  
Plaintiff,

C.A. No. 10-10024-JLT

v.

MICHAEL G. BELLOTTI, ET AL.,  
Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

TAURO, D.J.

On March 23, 2010, Magistrate Judge Collings issued an “Order for Reassignment and Report and Recommendation” (“Order”) (Docket No. 10). That Order directed the Clerk to reassign this action to a District Judge, and recommended that the District Judge dismiss this action *sua sponte* for failure of Plaintiff to satisfy this Court’s filing fee requirements and the failure to comply with the Electronic Order of February 22, 2010 regarding Plaintiff’s filing fee obligations.

On March 26, 2010, a copy of the Order that was mailed to Plaintiff at the Plymouth County House of Correction was returned to the Court as undeliverable. In light of this, the clerk contacted the Plymouth County House of Correction and was advised that Plaintiff had been transferred to the Norfolk County House of Correction on March 22, 2010. The clerk took corrective action by modifying the docket to reflect this change of address and by re-sending the Order to Plaintiff at the Norfolk County House of Correction.

To date, Plaintiff has not filed any Objections to the Order within the time period permitted.<sup>1</sup>

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<sup>1</sup>It appears that Plaintiff may have had actual knowledge of the Memorandum and Order in view of a telephone call to the Customer Service Department of the Clerk’s Office. In any event, this Court’s Local Rules require a litigant to advise of any change of address in order to receive notice of rulings. See United States District Court for the District of Massachusetts Local Rule 83.5.2(e) (“Change of Address. Each attorney appearing and each party appearing pro se is under a continuing duty to notify the clerk of any change of address and telephone number. Notice under

Upon review of the record, the Court finds the Report and Recommendation to be well-founded, and hereby ADOPTS Magistrate Judge Collings's recommendation for dismissal *sua sponte*.

Accordingly, this action is hereby DISMISSED in its entirety. A separate Order for Dismissal shall enter.

SO ORDERED.

/s/ Joseph L. Tauro  
UNITED STATES DISTRICT JUDGE

DATED: April 26, 2010

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this rule shall be filed in every case. Any attorney or party appearing pro se who has not filed an appearance or provided the clerk with his current address in accordance with this rule shall not be entitled to notice. Notice mailed to an attorney's or party's last address of record shall constitute due notice contestable only upon proof of a failure to mail delivery.”). In accordance with Local Rule 83.5(2)(e), this Court deems that Plaintiff had due notice of the Order and the directives contained therein.