

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

XIAOHUA HUANG	§	
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	Case No. 2:16-cv-00947-JRG-RSP
	§	
HUAWEI TECHNOLOGIES CO. LTD., et	§	
al.,	§	
	§	
<i>Defendants.</i>	§	

REPORT AND RECOMMENDATION

The Court has entered a Report and Recommendation [Dkt. No. 65], recommending that Defendant Huawei’s motion for summary judgment [Dkt. No. 40] be granted under *res judicata*. The Clerk of Court mailed the Report and Recommendation to *pro se* Plaintiff Xiaohua Huang. On March 4, 2019, the mailed Report and Recommendation was returned as undeliverable as addressed. [Dkt. No. 67].

Local Rule 11(d) requires *pro se* litigants to provide the court with a physical address and charges *pro se* litigants with the responsibility of keeping the Clerk advised in writing of his current physical address. Here, the court mailed the Report and Recommendation to the only address provided by Plaintiff. Thus, given Plaintiff’s failure to abide by Local Rule 11(d), along with the findings discussed in the Report and Recommendation [Dkt. No. 65], the Court **RECOMMENDS** that Plaintiff’s case be **DISMISSED with prejudice for failure to prosecute..**

A party’s failure to file written objections to the findings, conclusions, and recommendations contained in this report within fourteen days after being served with a copy shall bar that party from *de novo* review by the district judge of those findings, conclusions, and recommendations and, except on grounds of plain error, from appellate review of unobjected-to

factual findings, and legal conclusions accepted and adopted by the district court. Fed. R. Civ. P. 72(b)(2); *see Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).

SIGNED this 4th day of March, 2019.


ROY S. PAYNE
UNITED STATES MAGISTRATE JUDGE