

1 **WO**

2

3

4

5

6

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

7

8

9

Michael Kevin Blackstock,

)

No. CV-08-1294-PHX-FJM (LOA)

10

Plaintiff,

)

**ORDER**

11

vs.

)

12

Dora B. Schriro, et al.,

)

13

14

Defendants.

)

15

16

Defendants Dora Schriro and Gwendolyn Gibbs have filed a Motion to Dismiss Based  
On Qualified Immunity (docket #17) pursuant to Rule 12(b) of the Federal Rules of Civil  
Procedure.

17

18

19

**NOTICE--WARNING TO PLAINTIFF**

20

A motion to dismiss under Rule 12(b) of the Federal Rules of Civil Procedure will,  
if granted, end your case.

21

22

Additionally, you must comply with the following provisions of Rule 7.2 of the Local  
Rules of Civil Procedure:

23

24

(e) **Length of Motions and Memoranda.** Unless otherwise permitted  
by the Court, a motion including its supporting memorandum, and the response  
including its supporting memorandum, each shall not exceed seventeen (17)  
pages, exclusive of attachments and any required statement of facts. Unless  
otherwise permitted by the Court, a reply including its supporting  
memorandum shall not exceed eleven (11) pages, exclusive of attachments.

25

26

27

....

28

1 (i) **Briefs or Memoranda of Law; Effect of Non-Compliance.** If a  
2 motion does not conform in all substantial respects with the requirements of  
3 this Local Rule, or if the unrepresented party or counsel does not serve and file  
4 the required answering memoranda, or if the unrepresented party or counsel  
fails to appear at the time and place assigned for oral argument, such  
non-compliance may be deemed a consent to the denial or granting of the  
motion and the Court may dispose of the motion summarily.

5 LRCiv 7.2.

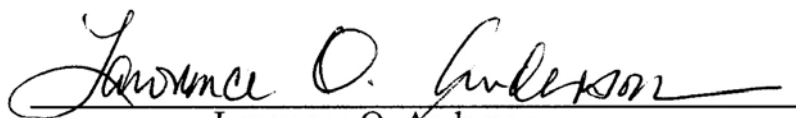
6 You must timely respond to all motions. The Court may, in its discretion, treat your  
7 failure to respond to Defendants' Motion to Dismiss as a consent to the granting of that  
8 Motion without further notice, and judgment may be entered dismissing this action without  
9 prejudice pursuant to Rule 7.2(i) of the Local Rules of Civil Procedure. *See Brydges v.*  
10 *Lewis*, 18 F.3d 651 (9th Cir. 1994) (*per curiam*).

11 **IT IS ORDERED** that Plaintiff must file a response to Defendants' Motion to  
12 Dismiss on or before **March 16, 2009**.

13 **IT IS FURTHER ORDERED** that Defendants may file a reply within 15 days after  
14 service of Plaintiff's response.

15 **IT IS FURTHER ORDERED** that the Motion to Dismiss will be deemed ready for  
16 decision without oral argument on the day following the date set for filing a reply unless  
17 otherwise ordered by the Court.

18 DATED this 10<sup>th</sup> day of February, 2009.

19  
20 

21 Lawrence O. Anderson  
22 United States Magistrate Judge  
23  
24  
25  
26  
27  
28