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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

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Mark Lewellyn Lindsey,

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No. CV-09-1869-PHX-DGC

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Plaintiff,

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ORDER

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vs.

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Peter Michael Williams; Emilie Diane
Halladay; Ljubomir Peter Atanasoff;

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John Robert Walston, Jr.; William Lee
Morris, Jr.; and Stephanie A. Stromfors,

)

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Defendants.

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16 Plaintiff filed a pro se complaint against Defendants on September 9, 2009. Dkt. #1.
17 On March 3, 2010, Defendants Peter Williams and Emilie Halladay filed a motion to dismiss
18 the amended complaint (Dkt. #31) for failure to state a claim to relief. Dkt. #39. Defendant
19 Stephanie Stromfors filed a similar motion on March 8, 2010. Dkt. #44. Plaintiff has filed
20 no response, and the time for doing so has expired. *See* LRCiv 7.2(c); Fed. R. Civ. P. 6(d).
21 Plaintiff shall have until **April 30, 2010** to file responses to the motions to dismiss
22 (Dkt. ##39, 44).

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24 Plaintiff must become familiar with, and follow, the Federal Rules of Civil Procedure
25 and the Rules of the United States District Court for the District of Arizona (“Local Rules”).
26 *See King v. Atiyeh*, 814 F.2d 565, 567 (9th Cir. 1986) (“Pro se litigants must follow the same
27 rules of procedure that govern other litigants.”); *Jacobsen v. Filler*, 790 F.2d 1362, 1364 (9th
28 Cir. 1986) (pro se litigants “should not be treated more favorably than parties with attorneys
of record”); *Carter v. Comm’r of Internal Revenue*, 784 F.2d 1006, 1008 (9th Cir. 1986)

1 (“Although pro se, [plaintiff] is expected to abide by the rules of the court in which he
2 litigates.”). The Federal Rules of Civil Procedure are available at the following Internet
3 website: <http://www.law.cornell.edu/rules/frcp/>. A copy of the Court’s Local Rules of Civil
4 Procedure may be obtained from the Clerk’s Office.

5 Rule 7.2 of the Local Rules of Civil Procedure provides that an unrepresented party’s
6 failure to respond to a motion “may be deemed a consent to the . . . granting of the motion
7 and the Court may dispose of the motion summarily.” LRCiv 7.2(i). Plaintiff is advised that
8 if he does not file responses to the motions to dismiss (Dkt. #39, 44) by **April 30, 2010**, the
9 Court will summarily grant the motions. Plaintiff is further advised that if he fails to
10 prosecute this action, or if he fails to comply with the rules or any Court order, the Court may
11 dismiss the action *with prejudice* pursuant to Rule 41(b) of the Federal Rule of Civil
12 Procedure. *See Ferdik v. Bonzelet*, 963 F.2d 1258, 1260 (9th Cir.1992); *Ghazali v. Moran*,
13 46 F.3d 52, 54 (9th Cir. 1995).

14 **IT IS ORDERED:**

- 15 1. Plaintiff shall have until **April 30, 2010** to file responses to Defendants’
16 motions to dismiss (Dkt. ##39, 44).
- 17 2. Plaintiff is warned that the Court will summarily grant the motions to dismiss
18 if Plaintiff fails to comply with this order.

19 DATED this 14th day of April, 2010.

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David G. Campbell
United States District Judge