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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

HARVEY HERRING III,	1:05-cv-00079-LJO-SMS-PC
Plaintiff,	ORDER REQUIRING PLAINTIFF TO FILE
v.	OPPOSITION OR STATEMENT OF NON-
MIKE CLARK, et al.,	OPPOSITION TO DEFENDANTS' MOTION
Defendants.	FOR SUMMARY JUDGMENT WITHIN
	TWENTY-ONE DAYS
	(Doc. 107.)

On July 28, 2009, Defendants filed a motion for summary judgment in this action. (Doc. 107.) Plaintiff was required to file an opposition or a statement of non-opposition to the motion within twenty-one days, but has not done so. Local Rule 78-230(m).

Accordingly, within **twenty-one (21) days** from the date of service of this order, Plaintiff must file an opposition or a statement of non-opposition to Defendants' motion for summary judgment. If Plaintiff fails to comply with this order, this action will be dismissed, with prejudice, for failure to obey the Court's order and failure to prosecute.

IT IS SO ORDERED.

Dated: January 21, 2010

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE