

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROCKY CURTIS,

Plaintiff,

vs.

N. KUSHNER, et al.,

Defendants.

Case No. 1:06-cv-00045 JLT (PC)

ORDER DIRECTING PLAINTIFF TO FILE  
AN OPPOSITION OR STATEMENT OF NO  
OPPOSITION TO DEFENDANT’S MOTION  
FOR SUMMARY JUDGMENT

\_\_\_\_\_ /

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with a civil rights action pursuant to 42 U.S.C. § 1983. On March 7, 2011, Defendant Vaughn filed a motion for summary judgment pursuant to Federal Rule of Civil Procedure 56. (Docs. 62-67.) Although Plaintiff was previously advised of the requirements for filing an opposition to motions for summary judgment, (see Doc. 19,) Plaintiff has not filed an opposition to Defendant’s motion in accordance with the Local Rules.

Plaintiff is therefore reminded that Local Rule 230(l) provides, in part, that: “Failure of the responding party to file written opposition or to file a statement of no opposition [within twenty-one days after the date of service of a motion] may be deemed a waiver of any opposition to the granting of the motion . . . .” Local Rule 110 also provides that failure to comply with the Local Rules “may be grounds for imposition of any and all sanctions authorized by statute or Rule or within the inherent power of the Court” including, but not limited to, dismissal of the action.

1           Accordingly, good cause appearing, it is **HEREBY ORDERED** that, within thirty days of  
2 the date of this order, Plaintiff shall file an opposition or statement of no opposition to Defendant's  
3 March 7, 2011 motion for summary judgment.

4  
5 IT IS SO ORDERED.

6 Dated: April 13, 2011

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE