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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LEROY D. HUNTER,

CASE NO. 1:07-cv-00373-LJO-SKO PC

Plaintiff,

ORDER REQUIRING PLAINTIFF TO FILE
OPPOSITION OR STATEMENT OF NO
OPPOSITION TO DEFENDANT’S MOTION TO
DISMISS

v.

HINOJOSA, et al.,

RESPONSE DUE WITHIN 30 DAYS

Defendants.

_____ /

Plaintiff Leroy D. Hunter (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On June 17, 2010, Defendant Hinojosa filed a motion to dismiss on the ground that Plaintiff failed to exhaust all administrative remedies prior to filing suit. Plaintiff has not filed an opposition to Defendant’s motion to dismiss. By Local Rule 230(l), Plaintiff is required to submit an opposition or statement of no opposition to Defendant’s motion. “Failure of the responding party to file an opposition or to file a statement of no opposition may be deemed a waiver of any opposition to the granting of the motion and may result in the imposition of sanctions.” Local Rule 230(l).

The Court will order Plaintiff to file an opposition or statement of no opposition to Defendant’s motion to dismiss within thirty (30) days of the date of service of this order. No requests for an extension of time will be granted. The failure to file an opposition or statement of no opposition within thirty (30) days will be deemed a waiver of any opposition and may result in the dismissal of this action.

1 Accordingly, Plaintiff is HEREBY ORDERED to file an opposition or statement of no
2 opposition to Defendant's motion to dismiss within thirty (30) days of the date of service of this
3 order.

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5 IT IS SO ORDERED.

6 **Dated: September 21, 2010**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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