

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

STANLEY BRADFORD CLARKE,

Plaintiff,

v.

SANDRA UPTON, AMPARO
WILLIAMS; DEPARTMENT OF
SOCIAL SERVICES; and COUNTY OF
MADERA

Defendants.

1:07-CV-0888 AWI-SMS

ORDER VACATING
DECEMBER 5, 2011,
HEARING DATE AND
TAKING DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT UNDER
SUBMISSION

Defendants have noticed for hearing and decision a motion for summary judgment. The matter was scheduled for hearing to be held on December 5, 2011. Pursuant to Local Rule 78-230(c), Plaintiff was required to file either an opposition or a notice of non-opposition no later than November 21, 2011. Plaintiff has not done so.

Due to Plaintiff's failure to file a timely opposition or notice of non-opposition, he is in violation of the Local Rules. See Local Rule 78-230(c). Plaintiff is further not entitled to be heard at oral argument in opposition to the motion. Id. The court has reviewed Defendants' motion and the applicable law, and has determined that the motion is suitable for decision without oral argument. See Local Rule 78-230(g).

Therefore, IT IS HEREBY ORDERED that the previously set hearing date of December 5, 2011, is VACATED, and no party shall appear at that time. As of December 5, 2011, the court will take the matter under submission, and will thereafter issue its decision.

IT IS SO ORDERED.

Dated: December 1, 2011


CHIEF UNITED STATES DISTRICT JUDGE