

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

KEVIN E. FIELDS,
Plaintiff,
vs.
J M VELASCO, et al.,
Defendants.
Case No. 1:07-cv-01213 AWI JLT (PC)
ORDER DIRECTING PLAINTIFF TO FILE
AN OPPOSITION OR STATEMENT OF NO
OPPOSITION TO DEFENDANTS' MOTION
TO COMPEL
(Doc. 48)

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 April 12, 2011, Defendants Phillips and Velasco filed a motion to compel further interrogatory responses pursuant to Federal Rule of Civil Procedure 37(a)(3)(B). Plaintiff, however, has failed to file an opposition or otherwise respond to the motion.

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.

Accordingly, it is **HEREBY ORDERED** that, within fourteen days of the date of this order, Plaintiff shall file an opposition to Defendants' motion to compel filed April 12, 2011. Plaintiff is cautioned that failure to file an opposition will be deemed as a statement of no opposition and may result in a recommendation that this action be dismissed.¹

IT IS SO ORDERED.

Dated: May 13, 2011

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

¹ Defendants may file a reply within seven days after being served with Plaintiff's opposition.