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

MICHAEL HUDSON,  
Plaintiff,  
vs.  
TERRY BRIAN, et al.,  
Defendants.

Case No. 1:08-cv-00249 AWI JLT (PC)

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

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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 December 1, 2010, Defendants Brian and Volker filed a motion for summary judgment pursuant to Federal Rule of Civil Procedure 56. Although Plaintiff was previously advised of the requirements for filing an opposition to motions for summary judgment, (see Doc. 15,) Plaintiff has not filed an opposition to Defendants’ motion in accordance with the Local Rules.

Plaintiff is therefore reminded that Local Rule 230(1) 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

1 action.

2 Accordingly, good cause appearing, IT IS HEREBY ORDERED that, within thirty days  
3 of the date of this order, Plaintiff shall file an opposition to Defendants' motion for summary  
4 judgment filed December 1, 2010 or shall file a notice of non-opposition to the motion. Plaintiff  
5 is cautioned that failure to file an opposition will be deemed as a statement of non opposition and  
6 may result in a recommendation that this action be dismissed pursuant to Federal Rule of Civil  
7 Procedure 41(b).

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9 IT IS SO ORDERED.

10 Dated: January 3, 2011

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE

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