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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 EDWARD L. GRAY II,

1:08-cv-00778-OWW-GSA-PC

12 Plaintiff,

ORDER REQUIRING PLAINTIFF TO FILE
OPPOSITION OR STATEMENT OF NON-
OPPOSITION TO DEFENDANT KUSHNER'S
MOTION FOR SUMMARY JUDGMENT
WITHIN THIRTY DAYS

13 v.

14 D. ROBINSON, et al.,

15 Defendants.

(Doc. 35.)

16 _____/
17 On April 15, 2010, defendant Kushner filed a motion for summary judgment. (Doc. 35.)
18 Plaintiff was required to file an opposition or a statement of non-opposition to the motion within
19 twenty-one days, but has not done so. Local Rule 230(l).

20 Accordingly, within **thirty (30) days** from the date of service of this order, Plaintiff must file
21 an opposition or a statement of non-opposition to Defendant Kushner's motion for summary
22 judgment. If Plaintiff fails to comply with this order, this action will be dismissed, with prejudice,
23 for failure to obey the Court's order and failure to prosecute.
24

25 IT IS SO ORDERED.

26 **Dated: June 1, 2010**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE