

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

RODNEY L. SHORT,

CASE NO. 1:09-cv-00996-OWW-GBC (PC)

Plaintiff,

v.

ORDER REQUIRING DEFENDANTS TO FILE
OPPOSITION OR STATEMENT OF NON-
OPPOSITION TO PLAINTIFF'S MOTION TO
VACATE DISMISSAL

JOHN SANZBERRO, et al.,

Defendants.

(Doc. 33)

/ THIRTY-DAY DEADLINE

On January 25, 2011, Plaintiff filed a motion to vacate order dismissing the action on the grounds that he has timely filed the opposition. (Doc. 33). Defendants were required to file an opposition or a statement of non-opposition to the motion within twenty-one days, but has not done so. Local Rule 78-230(m). Plaintiff's certificate of mailing indicates that he served the parties on January 4, 2011, which appears to have been one day past the deadline. (Doc. 30). Since it is unclear whether Plaintiff timely filed in this instance, should Defendants wish to file an opposition, they should address that issue.

Accordingly, within **thirty (30) days** from the date of service of this order, Defendants must file an opposition or a statement of non-opposition to the above-mentioned motions.

IT IS SO ORDERED.

Dated: May 23, 2011


UNITED STATES MAGISTRATE JUDGE