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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

DAVID ALAN WYATT,

CASE NO. 1:09-cv-01242-SMS PC

Plaintiff,

ORDER REQUIRING PLAINTIFF TO FILE  
RESPONSE TO DEFENDANTS' MOTION FOR  
SUMMARY JUDGMENT

v.

ZANCHI, et al.,

(ECF No. 19)

Defendants.

THIRTY DAY DEADLINE

Plaintiff David Alan Wyatt ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding on Plaintiff's complaint, filed July 17, 2009, against Defendants Zanchi and Jones for retaliation in violation of the First Amendment. On May 2, 2011, Defendants filed a motion for summary judgment. Plaintiff failed to file an opposition or a statement of non-opposition to the motion. Local Rule 230(l).

Accordingly, it is HEREBY ORDERED that:

1. Plaintiff shall file an opposition or a statement of non-opposition to Defendants' motion for summary judgment within **thirty (30) days** from the date of service of this order; and

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2. The failure to respond to Defendants' motion in compliance with this order will result in dismissal of this action, with prejudice, for failure to prosecute.

IT IS SO ORDERED.

**Dated: June 6, 2011**

**/s/ Sandra M. Snyder**  
UNITED STATES MAGISTRATE JUDGE