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

JOHN GOOD,
Plaintiff,
vs.
CALIFORNIA DEPT. OF
CORRECTIONS, et al.,
Defendants.

Case No.: 1:09-cv-01791 JLT (PC)
ORDER INSTRUCTING PLAINTIFF TO
FILE AN OPPOSITION OR STATEMENT
OF NO OPPOSITION TO DEFENDANTS'
MOTION TO DISMISS
(Doc. 46)

_____ /

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 July 15, 2011, Defendants filed a motion to dismiss for Plaintiff's failure to exhaust administrative remedies. (Doc. 46.) Although Plaintiff was previously advised of the requirements for filing an opposition to such motions, (see Doc. 38-1 at 2-3), Plaintiff has not filed an opposition in accordance with the Local Rules.

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.

1 Accordingly, good cause appearing, it is **HEREBY ORDERED** that, within fourteen (14) days
2 of the date of this order, Plaintiff shall an opposition to Defendants’ motion to dismiss filed July 15,
3 2011. Plaintiff is firmly cautioned that failure to file an opposition will be deemed as a statement of no
4 opposition and may result in a recommendation that this action be dismissed pursuant to Federal Rule
5 of Civil Procedure 41(b).

6 IT IS SO ORDERED.

7 Dated: August 22, 2011

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

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