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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

GREGORY RODRIGUEZ,

Plaintiff,

v.

HOPKINS,

Defendant.

CASE NO. 1:09-cv-02184-AWI-SKO PC

ORDER REQUIRING PLAINTIFF TO FILE  
OPPOSITION OR STATEMENT OF NON-  
OPPOSITION TO DEFENDANT’S MOTION  
TO COMPEL

(Doc. 29)

TWENTY-ONE DAY DEADLINE

Plaintiff Gregory Rodriguez, proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on December 16, 2009. This action is proceeding against Defendant Hopkins for use of excessive physical force, in violation of the Eighth Amendment.

On November 19, 2012, Defendant Hopkins filed a motion to compel and for sanctions. Plaintiff did not file a response.<sup>1,2</sup> Local Rule 230(l).

Plaintiff is HEREBY ORDERED to file an opposition or a statement of non-opposition to the motion within **twenty-one (21) days** from the date of service of this order. Local Rule 230(l).

**Plaintiff is warned that the failure to comply with this order will result in dismissal of the action, with prejudice, for failure to obey a court order and failure to prosecute.**

IT IS SO ORDERED.

**Dated: December 14, 2012**

**/s/ Sheila K. Oberto**  
UNITED STATES MAGISTRATE JUDGE

<sup>1</sup> Although Plaintiff is no longer incarcerated, Local Rule 230(l) continues to apply to this action, in accordance with the Court’s general practice.

<sup>2</sup> Plaintiff may have moved, as on December 11, 2012, the United States Postal Service returned the Court’s order of November 13, 2012, as undeliverable. A notation on the envelope reads “attempted-not known.” However, Plaintiff has not notified the Court of any change in his address. Absent such notice, service at a party’s prior address is fully effective. Local Rule 182(f).