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8 **UNITED STATES DISTRICT COURT**

9 EASTERN DISTRICT OF CALIFORNIA

10
11 JOHN T. MISKO,

Case No. 1:10-cv-00713-LJO-BAM PC

12 Plaintiff,

13 v.

ORDER REQUIRING PLAINTIFF TO FILE
OPPOSITION OR STATEMENT OF NON-
OPPOSITION WITHIN TWENTY-ONE
DAYS

14 WILLIAM SULLIVAN, et al.,

15 Defendants.

(ECF No. 73)

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17 _____/

18 Plaintiff John T. Misko, a state prisoner proceeding pro se and in forma pauperis, filed this
19 civil rights action pursuant to 42 U.S.C. § 1983 on April 23, 2010. This action proceeds against
20 Defendant Williams for deliberate indifference in violation of the Eighth Amendment to the
21 United States Constitution.

22 On April 24, 2015, Defendant Williams filed a cross-motion for summary judgment. Fed.
23 R. Civ. P. 56. Plaintiff was provided with notice of the requirements for opposing a motion for
24 summary judgment. (ECF No. 73-1.) Plaintiff's opposition was due on or before May 18, 2015.
25 To date, Plaintiff has not filed an opposition.

26 Pursuant to Local Rule 230(l), Plaintiff is HEREBY ORDERED to file an opposition or a

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1 statement of non-opposition to Defendant's motion within **twenty-one (21) days**. **Plaintiff is**
2 **warned that the failure to comply with this order may result in dismissal of this action, with**
3 **prejudice, for failure to prosecute.**

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5 IT IS SO ORDERED.

6 Dated: May 22, 2015

/s/ Barbara A. McAuliffe
7 UNITED STATES MAGISTRATE JUDGE
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